

and the House accordingly at 5:30 o'clock p. m. adjourned until 10 o'clock a. m. tomorrow.

SECOND DAY.

(Wednesday, January 12, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Harrison.
Aiken.	Henderson
Baker.	of McLennan.
Baldwin.	Henderson
Barker.	of Marion.
Barrett of Fannin.	Hendricks.
Bass.	Hill.
Beasley	Horton.
of Hopkins.	Johnson of Ellis.
Beasley	Johnson
of McCulloch.	of Wichita.
Beavens.	Jones.
Binkley.	Kacir.
Bonham.	Kellis.
Black, O. B.,	King.
of Bexar.	Kveton.
Black, W. A.,	Lackey.
of Bexar.	Laird.
Brady.	Laney.
Brown.	Lauderdale.
Bryant.	Lawrence.
Burkett.	Leslie.
Burmeister.	Lindsey.
Burns.	Looney.
Carpenter.	McCord.
Childers.	McDaniel.
Chitwood.	McKean.
Coffee.	McLeod.
Cox.	Malone.
Crawford.	Martin.
Crumpton.	Marshall.
Cummins.	Mathes.
Curtis.	Melson.
Darroch.	Merriman.
Davis, John E.,	Miller of Dallas.
of Dallas.	Miller of Parker.
Davis, John,	Morgan.
of Dallas.	Moore.
Dinkle.	Morris of Medina.
Duffey.	Morris
Duncan.	of Montague.
Edwards.	Mott.
Estes.	Neblett.
Faubion.	Neinast.
Fly.	Owen.
Fugler.	Patman.
Garrett.	Perkins
Greer.	of Cherokee.
Grissom.	Perkins of Lamar.
Hall.	Perry.
Hanna.	Pollard.
Harrington.	Pope.

Quaid.	Teer.
Quicksall.	Thomas
Quinn.	of Limestone.
Rice.	Thomason.
Rogers of Harris.	Thompson
Rogers of Shelby.	of Harris.
Rosser.	Thompson
Rountree.	of Red River.
Rowland.	Thorn.
Satterwhite.	Thrasher.
Schweppe.	Veatch.
Seagler.	Wadley.
Shearer.	Walker.
Sims.	Wallace.
Sneed.	Webb.
Stephens.	Wessels.
Stevenson.	West.
Stewart	Westbrook.
of Edwards.	Williams
Stewart of Reeves.	of McLennan.
Swann.	Williams
Sweet of Brown.	of Montgomery.
Sweet of Tarrant.	Wright.

Absent.

Barrett of Bell.	McFarlane.
Branch.	Menking.
Hardin.	Pool.
Johnson of Blanco.	

Absent—Excused.

Smith.

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVE OF ABSENCE GRANTED.

On motion of Mr. John Davis of Dallas, Mr. John T. Smith was excused for today, on account of important business.

RELATING TO REDISTRICTING THE STATE.

Mr. Rountree offered the following resolution:

Whereas, Sections 25, 26, and 28, Article 3, Constitution of Texas, provide that the Legislature shall, at its first session after the publication of each decennial census, apportion the State into senatorial and representative districts; and

Whereas, In all probability, Texas will gain three congressmen, based on the 1920 census report; and

Whereas, The platform adopted by the State Democratic Convention contains the following plank: "The regular redistricting of the State into congressional, senatorial and representative districts, in conformity to the provisions of the Constitution, is essential to the maintenance of equal representation

in the affairs of government and to the preservation of a feeling of just consideration among the people; and we demand of the Thirty-seventh Legislature the reapportionment of the State as provided by the Constitution and laws of the State"; now, therefore, be it

Resolved by the House of Representatives, That the Thirty-seventh Legislature shall reapportion the State of Texas into representative, senatorial and congressional districts, which will give to each section of the State, as nearly as possible, the precise degree of representation to which it is entitled.

Signed—Rountree, Beasley of Hopkins.

The resolution was read second time and was adopted.

PROVIDING FOR INVESTIGATION OF STATE GOVERNMENT AND INSTITUTIONS.

Mr. Baldwin offered the following resolution:

H. C. R. No. 2, Providing for inquiry into the cost of administration of various departments of the State government to ascertain the advisability of dispensing with certain departments, boards, commissions and committees, or combining the same with other departments under a general head; to ascertain what work now performed by any department, board, commission or committee should be transferred to some other department; to ascertain what duplications of work exist in the various departments, the causes thereof and how such duplications of work may be eliminated; to ascertain the necessity for and extent of the work done by employees in the service of the State and the general efficiency and qualifications of such employees for the work now required of them; to ascertain the number of employees in each department of the State government whose services may be dispensed with without impairment of or injury to the public service; providing for the appointment of a joint committee of the House and Senate to conduct such inquiry; the organization of such committee, prescribing its powers, duties and authority; fixing the place for holding sessions of the committee; payment of its expenses, fixing pay of stenographers and clerks for such committee, and fixing time for such committee to file its reports, and defining the nature of such reports.

Be it resolved by the House of Representatives of the State of Texas, the Senate concurring:

Whereas, There is widespread conviction among the people throughout the State of Texas that the State government is not being administered as economically and as efficiently as it should be; and

Whereas, It is one of the fundamental principles and precepts of democracy that government at all times should be administered as economically as the welfare, progress and prosperity of the State will permit, consistent with the highest degree of efficiency in the interests of all the people; and

Whereas, Section 48, of Article 3, of the Constitution of the State of Texas, provides that "the Legislature shall not have the right to levy taxes or impose burdens upon the people except to raise revenue sufficient for the economical administration of the government"; and

Whereas, In times past, and particularly during the political campaigns preceding the primary elections of 1920 in this State, and preceding the general elections of November 2, 1920, many candidates for State offices publicly made the charge that there was and is extravagance, waste and inefficiency in the administration of certain departments of the State government; that there are many persons in the employ of the State whose services can be dispensed with without injury to or impairment of the public service and with a great saving of the taxpayer's money; that in some departments there is more or less duplication of work, having the tendency sometimes to cause confusion and a lack of harmony; and that by combining certain departments, boards, commissions and committees under one general head greater efficiency and economy would result; and

Whereas, The dominant political party in Texas, which now controls the legislative and executive branches of the State's government, in convention assembled in the city of Fort Worth in September, 1920, declared to the people of the State in its platform of principles adopted at said convention that "We believe the State government should maintain such departments and divisions as may be essential to answer in an efficient manner requirements of the public service, but do not favor the creation of departments where the service may be performed by existing agencies. We urge upon the Democratic Legislature the great importance

of exercising the most rigid surveillance of the public service to the end that unnecessary duplication in service may be avoided and that the departments or agencies may be combined where practicable. We * * * pledge the Democracy of the State to every economy compatible with the efficient discharge of public service"; and

Whereas, The various departments of the State government and the various institutions maintained at the expense of the State have prepared and presented to the Board of Control budgets calling for appropriations of public revenue for the maintenance of such departments and institutions for the ensuing two years, which budgets aggregate a sum far in excess of expenditures heretofore required for such purposes in the history of Texas for an equal period of time; and

Whereas, Prudence and sound judgment dictate that the true facts and conditions respecting the actual and proper requirements of the State in the administration of its various departments and the maintenance of its institutions should be first ascertained, made known and fully understood, to the end that legislation enacted may be based upon and made responsive to such facts and conditions, and consistent with the highest degree of efficiency and economy in the conduct and management of the affairs of the State; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the public interest demands a full and impartial inquiry into the facts and conditions now existing in connection with the expenditure of the public revenues, so that the true and actual facts and conditions may be ascertained and made known as early as possible, to the end that legislation, designed to place the administration of the various departments of the government of the State on a more efficient and economical basis, may be enacted at an early date.

That such inquiry and investigation should be conducted for the purpose of ascertaining and determining—

First, what departments, boards, commissions and committees of the State government may be dispensed with without impairing the efficiency of the government in the service of the people.

Secondly, what departments, boards, commissions and committees should be combined under one general head.

Thirdly, what work now performed

by any department, board, commission or committee can be or should be transferred to some other department, board, commission or committee, in the interests of efficiency and economy.

Fourthly, what duplications of work now exist in the various departments, boards, commissions and committees, and the causes thereof, and how such duplications of work can best be eliminated.

Fifthly, the necessity for and the extent of the work done by employes in the service of the State, and the general efficiency of such employes and their qualifications for the work required to be done in the various departments of the government.

Sixthly, the number of employes in each department of the State government whose services may be dispensed with without impairment of or injury to the public service.

For the purpose of conducting such inquiry and investigation, there is hereby appointed a joint committee to be composed of five members of the House, to be appointed by the Speaker of the House, and three members of the Senate, to be appointed by the President of the Senate. Said committee shall organize by electing one of its members chairman, one of its members vice-chairman, and a secretary, and shall be authorized and empowered to employ such stenographers and clerks as it may deem necessary, and shall call upon the Sergeant-at-Arms of the House or Senate for the service of all process and in the enforcement of its orders. Said committee shall have all the power and authority given by law to investigating committees under Chapter 3 of Title 82 of the Revised Civil Statutes of the State of Texas of 1911, and with all the power and authority given by law to district courts in Texas, in so far as said laws may be applicable. Said committee shall be and is hereby vested with power and authority to issue process, summons and compel the attendance of witnesses, take and have taken under its direction depositions in such manner, with such notice and under such rules as to said committee may appear proper and necessary, and to require the production before it of any and all such books, records and documents as may be necessary for the purpose of securing testimony to accomplish the objects and purposes of this inquiry. Each member of said committee shall, for the purposes of

such investigation, have power to administer oaths, and such committee shall prescribe the times, method and procedure in collecting such evidence as it deems essential to the purposes of such investigation. Witnesses appearing before the committee in response to summons shall be paid the same fees and in the same manner as is provided for witnesses summoned before committees of the House or Senate. Sessions of the committee shall be open, and all sessions shall be held at the capitol, except when, in the judgment of the committee, the investigations may be facilitated by holding sessions at any other place within the State of Texas.

The report of said committee shall contain a full and accurate stenographic transcript of all proceedings had in and before the committee, and the committee shall endeavor daily to furnish copy of such proceedings to the Legislature for publication in the Journals of the respective Houses. In addition to its report to the Legislature of the facts ascertained upon such investigation, said committee shall, at the close of its inquiries and investigations, report to the Legislature its conclusions and recommendations respecting the subjects of its investigations, and any member or members of said committee, who may dissent from the report of a majority of said committee, in whole or in part, shall be authorized to make to the Legislature such minority report or reports as may be deemed proper.

The report of said committee shall be filed with the Chief Clerk of the House and with the Secretary of the Senate immediately upon the completion of the investigation, or not later than forty days from the commencement of the session of the Thirty-seventh Legislature. All reports of said committee shall be advisory only, and when the same shall be made it shall be before the Legislature for the consideration of the respective Houses without action on the report.

The necessary traveling expenses of the committee, and the personal expenses of members of the committee when conducting investigations at any place other than at the capitol, witness fees, mileage, and all other actual and necessary expenses incurred by the committee under the authority conferred upon it by this resolution, shall be paid equally from the contingent expense funds of the House and Senate,

upon accounts duly approved by the chairman of the committee.

All clerks and stenographers, while in the actual service of the committee, shall receive as compensation for their services the sum of five dollars a day, and in addition thereto shall receive actual and necessary traveling and personal expenses while accompanying said committee in its inquiries and investigations at any place other than at the capitol, to be paid equally from the contingent expense funds of the House and Senate, upon accounts duly approved by the chairman of the committee.

The resolution was read second time.

Mr. Owen moved to refer the resolution to the Committee on State Affairs.

Mr. Baldwin moved to lay the resolution on the table subject to call, and the motion was lost.

Question—Shall the motion to refer the resolution to the Committee on State Affairs prevail?

Mr. Miller of Dallas county raised a point of order on further consideration of the resolution at this time on the ground that the time allotted under the rules of the House for the consideration of resolutions has expired.

The Speaker sustained the point of order.

OATH OF OFFICE ADMINISTERED.

The constitutional oath of office was administered by the Speaker to the following members, who were not present on yesterday:

Hon. C. O. Laney of Dallas county.

Hon. John T. Lindsey of Hardin county.

MESSAGES FROM THE GOVERNOR.

Miss Annie Houghton, assistant secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,

Austin, Texas, January 11, 1921.

To the Thirty-seventh Legislature in Regular Session:

Pursuant to that provision of the Constitution contained in Section 9 of Article 4, it is my privileged duty to communicate to you, as my term of office approaches the end, with respect to the condition of the State, and to account to you for the receipt and expenditure

of public moneys covering the period thereof. In performing the obligation thus imposed upon me, I ask the indulgence of your honorable body to the extent of permitting me to divide my communication into several divisions, in one of which I shall communicate to you the financial condition of the State; in another of which I shall endeavor to convey to you the condition of the various departments and institutions of the State; while in others I shall communicate to you my recommendations with respect only to those measures which had their origin in my administration and yet are to be finally dealt with by your body. I shall confine myself in this division to a brief review of the legislative enactments during my term of office. I trust you will not think it improper for me, in reviewing the important enactments of the Legislature, to include those laws passed by the Thirty-fifth Legislature, after I became the acting Governor. Most of you are, of course, familiar with the conditions prevailing at the time I assumed the duties of acting Governor in 1917. At that time this nation, of which we are an integral part, had entered by declarations of war with Germany and associated governments, into the most gigantic military conflict known in the world's history. The Legislature was in session and was confronted with matters of paramount importance to the people of Texas. I convened the Thirty-fifth Legislature in Third Called Session immediately upon the adjournment of the Second Called Session, in order that matters undertaken by the session assembled when I began the discharge of the duties of office might be disposed of. During that session a number of important war measures were enacted. Among these enactments was a law for the relief of soldiers and sailors in the service of their country; more familiarly known as the Soldiers and Sailors' Moratorium. Laws were passed regulating the sale of liquor in prohibition territory, and safeguarding the sale of alcohol by wholesale and retail druggists, while at the same time a law was passed making provision for the organization and regulation of home guard companies, under the direction of the commissioners courts of the respective counties of the State.

After becoming the constitutional Governor in the latter part of 1917, I determined early in 1918 to convene the Thirty-fifth Legislature in Fourth Extra-

ordinary Session for the twofold purpose of considering and acting upon recommendations and suggestions made by the Secretary of War, Hon. Newton D. Baker, and to provide some means of relief for citizens of our State residing in the drouth stricken area thereof. In accordance with this determination, the Legislature was convened by me on February 25, 1918, and adopted a remarkable program of needed legislation. Important among these acts was the Ten Mile Zone Law, having for its purpose the protection of military training camps of this State against the sale and influence of intoxicating liquor within ten miles of such military reservation. After the passage of this act, the Legislature in its wisdom determined that what was good for the soldier in uniform would also be beneficial to the citizen, whether within ten miles or beyond that radius from a military camp, and, accordingly, the State-wide Prohibition Law was enacted.

The Court of Criminal Appeals fully sustained the constitutionality of the Ten Mile Zone Law proposed and recommended by me, but held the State-wide Prohibition Act to be unconstitutional. After the adoption of these prohibitory measures, the Legislature very promptly ratified the prohibition amendment to the Constitution of the United States. The Public Health Service of the nation and the State Health Department of Texas pointed out the necessity of safeguarding those in our military service from vice and disease. In line with the recommendations made by those departments, laws were enacted prohibiting immoral practices and to remove immoral influences from around the training camps in Texas.

A law was enacted compelling the teachers of the schools of this State to instill in the pupils the principles of patriotism, and requiring that the American flag be exhibited on every schoolhouse. Laws were passed safeguarding the ballot box in Texas, chief among which was the elimination of aliens in the primaries, providing that only naturalized citizens of the United States should participate therein. An amendment to the Primary Election Laws required a majority vote for the nomination of State and district officers. For the first time in the history of Texas women were given a voice in the government under which they live by the enactment of a law permitting them to vote in party primaries and conventions.

This law was violently attacked on the hustings and in the courthouse by those opposed to woman suffrage, but its constitutionality was fully sustained by the Supreme Court of Texas.

By an act of this Legislature, the offense of rape was more clearly defined, the age of consent being raised to eighteen years, and in addition to which a law was enacted providing a penalty for contribution to delinquency of any minor charge under seven years of age. A law was passed providing increased protection for female employes in Texas.

The salaries of county superintendents of public instruction were increased and provision was made for men volunteering in the service of our country, having left the schoolroom, where they had been employed as teachers, to so do, authorizing the State Superintendent of Public Instruction to extend their certificate upon application, the period of extension to be for a period of time equal to that for which the applicant was engaged in the service of the country.

In making provision for the relief of citizens of this State in the drouth-stricken area, the Legislature very promptly made provision for the counties, acting through their respective commissioners courts, to purchase seed to be planted on farms in such counties and the sum of two million dollars was appropriated to be loaned the respective counties upon proper application of the officials thereof.

One of the most constructive acts adopted during this session was the act authorizing the State Treasurer to invest State funds in government securities. Since this law was enacted, investments in the sum of \$48,200,000 made by the Treasurer have earned for the State as interest, the sum of \$289,936.79. A law was enacted authorizing the investment of sinking funds of counties, cities, towns and school districts in war savings certificates and government securities.

It was during this session that the Commission of Appeals was created for the purpose of assisting the Supreme Court in disposing of the large number of cases pending on the docket of that court.

And so with the adoption of these measures, prompted by the desire to make Texas the foremost of all States in the winning of the war, the Thirty-fifth Legislature, at its Fourth Called Session, passed into history with a record of constructive legislation upon the statute books, theretofore unequalled and

which will, for years to come, reflect untold credit upon the membership of that august body.

My regular elective term as Governor began on the 25th day of January, 1919.

The Thirty-sixth Legislature, as is provided in the Constitution, convened in Regular Session on January 12th of the same year. The burdens confronting this Legislature were radically different from those confronting the Thirty-fifth Legislature, but were no less arduous.

One of the first constructive acts of the Regular Session of the Thirty-sixth Legislature was a law prescribing the eligibility of the State, county, precinct and municipal officers and prohibiting the issuance of certificates of nomination or election to ineligible candidates.

An act was passed defining what constitutes a pool hall, and prohibiting the maintenance and operation of same within this State. This act, when adopted, was to become effective May 1, 1919, but its effectiveness was postponed by injunction proceedings instituted in the Federal courts which has finally been adjudicated by the Supreme Court of the United States in favor of the validity of the act.

The Drouth Relief Act passed by the Fourth Called Session of the Thirty-fifth Legislature was extended. The provisions of this act were found to be so beneficial to the citizenship of the State, who profited thereby, that the Legislature in its wisdom, decided to go one step further and adopt an act authorizing counties to furnish seed and feed to farmers to plant and cultivate their crops. The counties were given authority through their respective commissioners courts to expend the general funds of the county in purchasing seed to be planted by the residents of such county and to supply feed for the work stock of the residents who were poor and unable to procure feed.

It was during this session that an act was passed in line with the constitutional amendment adopted in November, 1918, providing for the purchase and distribution by the State of free textbooks to the public schools.

Provision was made for the return to the State of certain foreign corporations whose permits to do business in Texas had previously been forfeited. This act made it possible for such corporations to return and do business in Texas by going into the court where the original judgment of forfeiture was entered, and showing that it had fully obeyed the decrees of the court and had

satisfied in full all fines and penalties assessed against it.

An act was adopted authorizing the sale and transfer to the United States Government of all property used in the State quarantine service, which act terminated State control of border quarantine. Its operation will save the State all of the expense necessary in the maintenance of such stations.

The election laws of the State were materially strengthened by that act which prohibited the giving of assistance to a voter in preparing a ballot, except when physically unable to write or when more than sixty years of age, and requiring both parties to use the English language when assistance is given. One of the most far-reaching and beneficent of all election laws, going further than any act heretofore passed in purifying the ballot box, and in hindering corrupt practices was a law regulating and limiting the expenditures of money by or for persons seeking nomination in primary elections.

The soldiers and sailors moratorium adopted during the Third Called Session of the Thirty-fifth Legislature was extended for a period of one year after final discharge from the service.

A tax of one and one-half per cent on the gross production of oil was adopted and requiring that quarterly reports be made to the Comptroller by individuals, etc., producing oil. This act became effective March 17, 1919, the same day it was approved, since which time this tax alone has brought in, up to December 1, 1920, \$6,803,695.18 revenue to the State. Provision was made for the conservation of the oil and gas resources of the State, defining "waste" and empowering the Railroad Commission to make and enforce regulations with respect to same.

A law was passed providing that indigent widows of Confederate soldiers who have remarried but are now widows may be eligible to the grant of a pension. The Legislature further recognized the equal rights of women by making provision for women teachers to be paid the same compensation as men for doing the same grade, kind and quantity of work. And they were further recognized when provision was made for a chief of the Woman's Division of the Department of Labor and two inspectors. An act was adopted permitting married women to become subscribers, stockholders, officers and directors of corporations. A law was passed establishing an Industrial Welfare Commission regulating the employment of women and minors and with power to fix a minimum wage scale.

Provision was made for the permanent record of official discharges of soldiers and sailors from the military and naval service by an act making it the duty of the commissioners courts of the respective counties to purchase, out of the general fund of the county, a well bound book in which the discharges are to be recorded.

A Uniform Negotiable Instrument Act and a Uniform Warehouse Receipts Act were adopted and a Uniform Weights and Measures Law.

The law providing for a State Ranger Force was amended and a provision made for its reorganization with a smaller force at increased salaries, which greatly strengthened the personnel of that organization.

A State Depository Law was adopted providing the manner in which State funds shall be kept and deposited, and creating a State Depository Board, composed of the State Treasurer, the Attorney General and the Commissioner of Insurance and Banking. This act became effective March 31, 1919, since which time the State has earned the sum of \$725,000 as interest on funds deposited in the various banks designated as depositories.

Provision was made for the establishment of a State Home for Dependent and Neglected White Children.

It was during this session that the State Board of Control was created and I shall communicate to you later with respect to its operation.

The Thirty-sixth Legislature submitted to the people four constitutional amendments. By the submission of the prohibition amendment, which was adopted by a majority vote of the people, there was removed forever that question which for years past had been a source of unfortunate division in all political contests. The State equal suffrage amendment was defeated and the amendment providing that the State may lend its credit to the heads of families to purchase or improve their homes was defeated by a very small majority. The people at the ballot box in July of this year voted by a large majority to have the Thirty-seventh Legislature re-submit the latter amendment. Another amendment was one relating to the manner of compensation of public officials; another providing for the separation of the State University and the Agricultural and Mechanical College, and another making an increase in Confederate pensions, all of which were defeated.

The Thirty-sixth Legislature at its Regular Session passed a law attempting

to permit discharged soldiers, sailors and marines who were absent from the State from October, 1918, to February, 1919, to vote in all elections of the current year without the payment of a poll tax. The act was deficient because the Attorney General of the State held it to be unconstitutional and was inoperative because it did not carry the emergency clause and permit the soldiers to vote in the election of May, 1919, the most important of the year. To remedy this, I disapproved the act and later convened the Thirty-sixth Legislature in called session for the purpose of enacting legislation which would permit discharged soldiers, sailors and marines who were absent from home in January, 1919, to vote in all elections during the years of 1919 and 1920 without the payment of a poll tax. The Legislature very promptly met this emergency, the act becoming effective May 9, 1919, on the day it was finally passed. After being in session but five days, the shortest session yet on record, the First Called Session adjourned sine die.

It became necessary to convene the Thirty-sixth Legislature in Second Called Session by reason of the failure of previous sessions to make appropriations for the support and maintenance of the State government and its institutions for the fiscal years of 1919-1920 and 1920-1921. Legislation of importance enacted during this session other than the appropriation bills was:

An act permitting towns and villages to take over control of schools within their limits. Several important acts with respect to reclamation. The term of the Commission of Appeals which had been assisting the Supreme Court in the adjudication of litigation which had been pending over a long period of years was extended in order to give the court an opportunity of completing its docket. A more stringent law was adopted regulating the sale of narcotics and other drugs.

By an act of the Second Called Session penalties, costs and charges for the non-payment of taxes by soldiers, sailors and marines were remitted, and it was during this session that the State-wide Prohibition Law was passed in conformity with the constitutional amendment previously adopted by a vote of the people.

An act was passed having for its purpose the promotion of the development of the oil and gas resources of the State Asylum, the University and Public School lands, giving to the owner thereof fifteen-sixteenths of the oil and gas

under such land, and it was during this session that the amendment to the Federal Constitution providing for woman suffrage was ratified.

A resolution was adopted authorizing and directing the Attorney General to bring suit against the State of Oklahoma to establish the boundary line between the two States.

During the latter part of April and the early part of May, 1920, I was confronted with the necessity of convening the Thirty-sixth Legislature in Third Called Session for the purpose of adopting a policy which would prevent the Federal Government from quarantining against the cotton and cotton products of this State on account of the pink boll worm menace, which had developed in certain sections of Texas. After an exhaustive investigation the Legislature succeeded in adopting an act which accomplished the purposes for which it was convened.

Other constructive acts of this session were an act to regulate and place under the jurisdiction of the Railroad Commission all public gas utilities; an act raising the salaries of the school teachers of Texas, and an act placing the proceeds from minerals on all lands of the University of Texas to the credit of the available fund of that institution; while another important act was that relating to teachers' certificates, prescribing the grades and conditions of issuance.

By reason of the adoption of the Woman's Suffrage Amendment to the Federal Constitution when the Thirty-sixth State ratified, it became necessary to convene the Thirty-sixth Legislature in Fourth Called Session for the purpose of enacting such legislation as would safeguard the general election. Accordingly, the Legislature was convened, and very promptly met the emergency which was presented at that time.

One of the most important acts of the Thirty-sixth Legislature was adopted during this session. It was an act for the protection of the movement and transportation of commerce in this State, probably more familiarly known as the "Open Port Bill," which I shall refer to more fully in a separate communication.

The necessity of this legislation was brought about when troops had to be sent to Galveston by reason of the coast-wise Longshoremen's strike at that port. To those of your members who are not familiar with the conditions necessitating the sending of the troops

there, I refer you to my message to the Fourth Called Session of the Thirty-sixth Legislature with respect thereto.

During the last four years, both the legislative and executive departments have given more attention to the educational needs of the State than at any previous time in our history. Each session of the Legislature with the exception of the First Called Session of the Thirty-sixth Legislature, which enacted only one measure, as heretofore described, has given a most thorough consideration to the educational interests of the State for which reason I have deemed it advisable to, in this communication, summarize the acts of the Legislature and the State Board of Education with respect thereto altogether, rather than to review those enactments by session.

The apportionment of State funds to the schools of Texas has been increased from \$7.50 in 1918 to \$14.50 per child in 1920. This increase in the per capita apportionment came at a time to relieve a crisis in school affairs when the closing of many schools and the crippling of the entire system was threatened. A total of \$7,500,000 was added to the funds for common school education while at the same time, the State ad valorem tax rate was decreased from 35 cents to 22 cents. One session of the Thirty-sixth Legislature alone, convened in May for the purpose of providing support for the schools of Texas appropriated a lump sum of \$4,000,000 for the public free schools, and at the same time, the sum of \$1,000,000 was appropriated for the institutions of higher learning. The revenue derived from the oil tax imposed under my administration, largely supplied the funds for these appropriations. During the three years I have had the honor of serving as Chief Executive of your State, a total sum of \$63,412,065.52 has been appropriated or apportioned for education, divided among the various educational institutions as follows:

Public free schools.....	\$46,408,869.15
Higher educational institutions	8,572,735.83
For the State Normal Schools	3,126,891.81
For eleemosynary institutions	3,045,536.79
Educational purposes for the various departments of the State government	2,258,931.94

In addition to the splendid financial

support given education, the people, by the adoption of a constitutional amendment, in November, 1920, removing the limitation of taxes which may be voted in country school districts as well as in city school districts unshackled the public school system of Texas and made it possible for this State in the not remote future to rank among the first with respect to education.

The Thirty-sixth Legislature has by reason of the educational program alone it adopted recognized the foundation upon which all governments that survive, must be based, and in so doing, erected upon the statute books, a monument to the members of that Legislature. Not only that, but the Thirty-sixth Legislature, by redeeming all platform demands and fulfilling every pledge and promise made to the people, has established a record heretofore unequalled by any legislative body.

Respectfully submitted,

W. P. HOBBY,
Governor.

Governor's Office,

Austin, Texas, January —, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: Not only to put into effect a constructive policy for the advancement of Texas, but to carry out the direct instructions of the people of Texas given by the most overwhelming majority yet recorded for the submission of a specific subject, I urge the speedy enactment by both houses of the Legislature of a joint resolution amending the Constitution so as to permit the State to lend its credit for the purpose of aiding the homeless to acquire homes and the landless to acquire land.

This policy is not new in Texas. In fact, it is a principle in vogue from the beginning of our Statehood. It only takes a different form under this amendment from that which has been in vogue heretofore. The public lands of Texas were at first given away to home owners, and later on were sold to home owners or actual settlers on the basis of a longer time and at even lower rate of interest than would be possible for persons to acquire homes under the system which will be established if this amendment is enacted. Having been disposed of, the public lands of the State cannot be used to bring about home ownership, but the credit of the State may be used for such a purpose and that is the object to be gained under this amendment.

In my campaign for Governor in 1918, I promised the people of Texas that an effort would be made during my administration to provide homes for the homeless and land for the landless, and to bring relief to the tenants and renters of the State. This promise was later written into the platform of the Democratic party adopted at the State convention. In keeping with this promise a joint resolution proposing to amend the Constitution was adopted by the Thirty-sixth Legislature, and submitted to a vote of the people on May 24, 1919. The amendment on the face of the returns was defeated,—one county where the vote was not properly returned being omitted, and the majority against the amendment was only 787 votes in an election where more than 300,000 persons voted.

In 1920 I caused petitions to be circulated and presented them in person to the State Democratic Executive Committee at the meeting in Fort Worth, requesting that committee to place upon the ballot the subject of submitting again this amendment to the Constitution. The committee granted the request and the subject was placed upon the ballot. Accordingly, the vote was as follows:

For submitting home ownership amendment, 134,455.

Against submitting home ownership amendment, 74,535.

Therefore, not only because the merits of this measure call for favorable action, but because the people have in unmistakable terms called for its resubmission, I urge that it be speedily disposed of at your hands. I believe this amendment should be submitted on the fourth Saturday in July, 1922, when the primaries are held, or on the first or second Tuesday in November, 1922, when the general election is held. Experience has proven that a larger vote of the people is recorded on either of these days than on the day of a special election. And believing that the wider the expression of the people's will on this question, the more emphatic will be the expression in its favor, and believing, too, that it involves a policy portending so much good to the State, it should, in my judgment, be determined by a decision on the part of the largest number.

The adoption of this amendment to the Constitution is desirable for a twofold reason: First, it will help the citizen who might otherwise be unable to do so to acquire a home; second, it will help

the State when such a citizen acquires a home. The welfare of the citizen is involved in becoming a home owner, since thereby he becomes the possessor of more of this world's goods, and that portion of this world's goods which gives to the individual the greatest satisfaction. The welfare of the State is involved in causing citizens to become home owners since it is well established that when the citizens become intrinsically interested in the soil it makes for a State that is better and safer and it promotes the security not only of those who have acquired homes through State aid, but of those who have acquired homes without the aid of the State.

It is not proposed to allow the use of money out of the general funds of the State to help people acquire homes nor to ever impose any tax whatever for that purpose. It is not intended that land selling or colonization schemes will result from this amendment. It is proposed to amend the Constitution so there will be constitutional authority for the State to establish a system of rural credits, under such laws and regulations as the Legislature may pass, for the purpose of enabling those who are landless to buy land and those who are homeless to buy homes with a small payment down and on long time and at a low rate of interest. The only appropriation of State funds contemplated under this system is an amount sufficient to begin its operation. The liens against the land or the home, given by the purchasers, will furnish a nucleus for mortgages or bonds issued upon the State's credit, which will develop into a revolving fund similar to that existing under other systems of rural credit, while the interest paid by the purchasers will meet the interest on the bonds or mortgages issued and pay the expenses of operation. When bonds or mortgages are issued and sold under this plan from time to time it will constitute a continuing source of funds for extending that financial aid which is the object to be attained under this system, and which will assist persons to acquire homes.

The benefits of this system will not only be applied to farmers and tenants who live in the country, but also to those who live in towns and cities. No better service can be performed by the State than to find a way for the tenant who cultivates the soil to become the owner of the soil which he cultivates wherever he may select to do so and to find a way for the renter of a house to

become the owner of a home wherever he may select.

If this amendment is put into practical operation this laudable purpose will be possible of accomplishment. Rural credit systems have been established by States and by nations, and have proven successful in their operation and far reaching in their benevolent results. Texas is great enough, resourceful enough and capable in every respect of constituting the foundation for a well directed system of rural credits which will bring about home ownership and prove a forward step in solving the problem of the tenant and the renter.

I trust and believe such will be the end if favorable action is taken by your honorable body.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, January 11, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: Pursuant to House Concurrent Resolution No. 14 of the Third Called Session of the Thirty-sixth Legislature, I appointed a committee composed of Hon. Leonard Tillotson, Dr. Edward Jones, Mr. W. H. Fuqua, Dr. A. C. Scott, Senator W. H. Bledsoe, Dr. T. S. Reed and Hon. C. T. Bass, for the purpose of making inquiry into the establishment, organization and operation of the Medical Branch of the University of Texas, the relative advantages of its continued location and development in Galveston or removal therefrom.

In accordance with the provisions of the resolution above referred to, this committee has completed its labors and filed, under date of December 3rd, its report to me, which report, marked Exhibit "A," is herewith transmitted for the information of your membership.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Exhibit "A."

Report of the committee of inquiry on the location and organization of the Medical Branch of the University of Texas:

Austin, Texas, December 3, 1920.

To Hon. W. P. Hobby, Governor of Texas,
Austin.

Sir: The committee authorized to be

appointed by you in accordance with House Concurrent Resolution No. 14 of the Third Called Session of the Thirty-sixth Legislature, for the purpose of making an inquiry into the establishment, organization and operation of the Medical Branch of the University of Texas, and the relative advantages of its continued location and development in Galveston, or removal therefrom, have made a careful study of all facts and conditions affecting the Medical Branch, including its location, physical equipment, present legal and administrative status, and its relative requirements, and submit our report thereon.

The Board of Regents of the University have recently found themselves confronted with conditions respecting the Medical Branch that, in their judgment, demanded decisive action. The buildings now used for laboratory work and instruction were declared by the college faculty to be wholly inadequate in size and lacking in facilities, and to provide the necessary structures would require a considerable outlay of funds. Also, the extension of the sea wall on the east end of the island has led to the building of a railway in the rear of the Medical Branch property, and the operation of the train service was represented as making the conduct of the work of the college extremely difficult, and the erection of any new buildings in Galveston, under the circumstances, it was thought, would have to be on a different site. And in addition thereto the official reports of the management and of members of the faculty of the Medical Branch have disclosed a noticeable decrease in the clinical material available for teaching purposes at the college in Galveston in recent years.

These facts were engaging the serious consideration of the University Regents, and of themselves were deemed sufficient in importance to invite legislative direction when, early in the present year the city commission of Galveston intimating that the cost of maintaining the John Sealy Hospital under the lease agreement existing between the Regents and the city was greater than the city felt justified in appropriating for the care of its charity patients, and expressing willingness to relinquish the lease, the Regents felt the Legislature should be apprised of all the facts, with the result that this committee of inquiry was appointed.

The committee finds that the State has

expended comparatively little money in equipping a plant for teaching medicine, and incidentally, pharmacy. The initial expenditure was a sum of \$50,000, described as "a loan to the available funds of the University to be repaid to the State out of the revenue of the University."

The present equipment of the Medical Branch in Galveston comprises the following: One building for class work and laboratory use and instruction, erected in 1890, built with University available income funds at a cost of \$69,000; this building is in large part inadequate to the work of the college, the classrooms being too small, the laboratories cramped, and it is necessary to crowd much work into the basement, which is frequently so damp as to be unhealthy and should not be used for any purpose. It would probably cost almost as much to remodel it as to construct a new building.

The Nurses' Home, for which \$65,000 was appropriated from the income of the permanent University fund in 1913, and which though rather small, is a well equipped institution for the purpose.

The Isolation Hospital, built from fees received from State quarantine service; used for the care of contagious diseases, and though small, is a modern institution.

The State Hospital for Crippled Children, formerly known as the Walter Colquitt Memorial Hospital, which was erected with funds collected throughout the State during the administration of Governor O. B. Colquitt, is a modernly built and equipped hospital capable of caring for about thirty-eight children.

University Hall, gift of Mr. George W. Brackenridge, of San Antonio, erected at a cost of \$40,000, as a dormitory for women medical students.

The total investment in these buildings has been approximately \$385,000.

The State owns one-half block, less two lots, on the opposite side of the street from the college building, acquired at a cost of \$12,700 and paid for from the University available funds.

The remaining buildings, and which form the teaching hospital of the Medical Branch, are the John Sealy Hospital, and the addition thereto, or Woman's Hospital Building, which buildings represent the liberal and splendid beneficence of the members of the Sealy family, and for which Mr. John Sealy is the active representative in the great charity they have founded

in Galveston. There has been expended in the construction of these buildings and equipment approximately \$700,000. This property, donated to the city of Galveston, and by it deeded to the State for use in connection with the operation of the Medical Branch, contains a reversion clause in such deeds in the event the Medical Branch is removed from Galveston.

The committee has canvassed the possibilities of the situation that confronts the people of Texas and the Legislature in providing for the development of a State medical school that will rank with similar institutions of the first class, and the members of the committee have formed opinions as to certain necessary conditions that should govern in the establishment and development of a medical college of highest character, but when an effort is made to determine how or in what part of the State this result may best be achieved it is found that the Medical Branch is so intimately identified with the University, and so entirely dependent upon the financial condition of the University, that it is the judgment of the committee that the question of moving the Medical Branch or leaving it where it is would best await the determination of the people as to the future of the main institution. The immediate determination of the location of the Medical Branch of the University is not the issue of paramount importance just at this time. While providing for the establishment of the University and endowing it liberally by land grants, the Constitution makes no provision for necessary buildings, specifically prohibits to the Legislature any authority to make appropriations from the general revenue for buildings for the main University, or its branches, and denies to the management of the University any power to employ the endowment or the income therefrom in any manner calculated to secure such buildings consonant with the present needs of the University. The main University today, with an attendance of approximately 4,000 students, has but two modern buildings, three others in condition for use, and for lack of other necessary buildings must use the frame shacks erected during recent years, all of which are located on a campus embracing but forty acres of land. The committee believes that the people are rapidly awakening to a broader appreciation of education and that such growth of popular sentiment

will soon result in material changes in the constitutional status of the University and its branches. The most superficial glance into the future will reveal the fact that a State with the area of Texas will develop and support a great University, great in size as well as in character, and the committee is convinced that a campus of forty acres will very soon prove inadequate for the institution the educational requirements of the people will demand. Property adjoining the present University campus is now so valuable that the institution could construct practically one-half the modern buildings necessary for its student body today for what the additional land deemed essential for future use would cost. These facts, in the minds of the members of the committee, raise the greater question of the permanent location of the University itself. Necessarily, the Medical Branch may not expect funds to provide an adequate plant and an efficient organization until the University has found funds equal to its needs, and has settled the serious question of a permanent location by the acquisition of land deemed reasonably sufficient for its buildings and activities. Since the determination of this important question might materially change the merits of the issue of location of the Medical Branch, the wiser judgment would suggest that the permanent future home of the branch would best not be sought to be determined until the greater problem of the permanent site of the University is solved.

From a study of its educational progress, and legislation, both constitutional and statutory, it is not an unjust criticism to say that the State has displayed less foresight and constructive organization in determining the policy for the development of its educational activities than perhaps may be witnessed in any other department of the State government. The committee feels that the State has temporized with its educational problems, both those that relate to the public schools and to the higher educational institutions, and has indulged in legislative expedients, full long. The time has come for the adoption of something approaching a distinct State educational policy, in which the different units of the system will be intelligently co-ordinated.

It is useless now to indulge in criticism of the Legislature, or the regents of the University, in view of the constitutional limitations controlling the

University and its branches, for failure to set aside the income from the University permanent endowment as an exclusive building fund for the University and its branches. Let us admit that such a policy written into the statute and inaugurated a quarter of a century ago would have shown excellent results by this time in the way of equipping physical plants for the main and branch institutions, the facts confronting us today are that the University is in immediate need of the expenditure of considerable sums for buildings to enable it to care for the students seeking admission.

The committee considers the first action that should be taken to be the adoption of such changes in the Constitution as will enable the University management to transform the permanent endowment from the condition of, practically so much dormant capital to the status of active capital, which may be utilized by the regents under such conditions as might be prescribed by law in provision for necessary buildings. This action would be applying practical business methods to the management of the University permanent endowment, make possible an early increase in facilities for instruction in both the main institution and its branches, and in the end save considerable money to the State. Your committee trusts the condition pointed out may so appeal to you that you will urge the next Legislature to submit to the people the desired changes in the Constitution.

In presenting a more detailed statement of conditions surrounding the location of the Medical Branch in Galveston and its administration and prospects, and in submitting its comments thereupon, the committee is sensible equally of the view entertained by many educators and many citizens that the better policy to be pursued by a State in arranging for the establishment of a full complement of institutions that should comprise a State educational system, is to concentrate such institutions at a comparatively central point, organize their management and operation upon the most economical basis consistent with efficient service to the people, and closely co-ordinate their work; and of the fact that Texas long ago adopted a policy of distributing its educational institutions over the State and occasionally inviting the co-operation of the people of the different localities in their development. While the respective merits of the two plans represent an issue raised in this inquiry,

the committee will refrain from an extended discussion of the subject in accordance with its decision to recommend that the determination of the future location of the Medical Branch be held in abeyance until such time as the University is provided for in permanent manner and able to make similar provision for its branches. It is worthy of consideration, however, that there is just now a somewhat belated movement to study the results of the existing policy in an effort to effect greater correlation of the work of the various units, eliminate unnecessary duplication, broaden their serviceability, and minimize their cost to the State.

The Constitution does not specifically direct the establishment of a Department of Medicine by the University of Texas, but directs that "the Legislature shall establish, organize, and provide for the maintenance, support, and direction of a University of the first class to be located by vote of the people, for the promotion of literature and the arts and sciences, including an Agricultural and Mechanical Department." (Constitution, 1876.)

The Agricultural and Mechanical College, it will be remembered, was established by vote of the people prior to the adoption of the Constitution of 1876, which authorized the establishment of the University, and the specific inclusion of that institution as a department of the University must be recognized as an intent to co-ordinate the educational work of the State.

Chapter 75 of the General Laws of the Seventeenth Legislature, Regular Session, embodies a statute known as "An Act to establish the University of Texas." It is this statute which creates the board of regents and defines their powers and duties in the control and development of the University, and authorizes them to provide for such departments as the Constitution contemplates as part of a University of the first class. Technically, the constitutional authority for the creation of a Department of Medicine must be sought in the declaration that the University is established for the "promotion of the arts and sciences," and that it was intended to be an institution of the "first class" of its kind. First class universities of the country have created medical branches for the promotion of science.

In Section 1 of Chapter 75 of the General Laws of the Seventeenth Legislature, it is provided that "a Medical

Department of the University shall be located, if so determined by vote of the people, at a different point from the University, and as a branch thereof; and the question of the location of said department shall be submitted to the people and voted on separately from the proposition for the location of the Main University." On July 27, 1881, the Governor called an election for September 6, 1881, for an election to determine the location of the University and whether or not the Medical Branch should be located at a different place from the Main University. The vote was in favor of the separate location, with two contestants for the location of the Medical Branch, Galveston winning.

The foregoing statement of the constitutional status and history of the location of the Medical Branch of the University is deemed pertinent as a part of this report because of the contention advanced by citizens of Galveston that the college having been located in that city by popular vote may not now be moved without again referring the question to the people. In order that this representation might receive the fullest consideration to which it may be entitled the question raised was submitted to the Honorable Attorney General for an opinion, and this opinion is appended hereto as a part of the record of this inquiry.

In 1887, Mrs. Rebecca Sealy and Mr. George Sealy, as executors of the estate of Mr. John Sealy, donated to the city of Galveston the sum of \$50,000 to be used in the construction of a medical hospital on grounds to be furnished by the city. A provision of this donation was that should the Medical Branch of the State University be established in Galveston the city authorities, in their discretion, might transfer the title to the hospital property to the State for the use of the Medical Branch as a teaching hospital, and that such title should be unquestioned so long as the Medical College remained in Galveston using the hospital for the purpose indicated, but that if the school should be removed therefrom then the title to the hospital property should revert to the city of Galveston.

In the general appropriation bill passed by the Twentieth Legislature, and approved May 17, 1888, is found the following reference to provision for funds with which to establish the Medical Department of the University at Galveston: "As a loan to the available

funds of the University of Texas to be placed to the credit of such fund out of the indemnity fund now in the State Treasury, to be repaid to the State out of the revenue of the University on or before January 1, 1910, without interest, \$125,000, of which sum \$50,000 is hereby appropriated and set apart to be used in the construction of a building for the Medical Branch of the University of Texas at Galveston. Provided, that the said city of Galveston shall donate to the University of Texas Block No. 668 in said city to be used for the Medical Branch of said institution; and provided further, that the executors of the estate of John Sealy, deceased, shall agree to construct on said block, at a cost of not less than \$50,000, a medical hospital, which, when completed, is to be donated to the Medical Branch of the University of Texas, and to be under the control of the Board of Regents of said University; provided further, that this loan shall be in full payment and satisfaction of all claims of the University of Texas against the State of Texas for moneys drawn from the University fund by said State.*

On June 18, 1888, an ordinance was approved by the city of Galveston authorizing and directing the transfer of block 668 in the city to the University, to be used for the Medical Department of the State University; and in conformity thereto the said property was deeded to the State, with the proviso that in the event the Medical Department should be removed from Galveston the property would revert to the city.

In 1889, following the transfer of the John Sealy Hospital property to the State for the use of the Medical Branch of the University, the Board of Regents entered into a lease agreement with the city of Galveston whereby the city undertook to furnish and equip the building for hospital purposes, providing medicines and making it a first class hospital free of expense to the State keeping the property insured and in substantial repair. The management of the hospital to be vested in a hospital board of five members, two of whom were named by the city of Galveston, two by the Board of Regents, and these four to name the fifth. In event the four members cannot agree upon the fifth member the lease agreement provides for his appointment by the mayor of the city. All members of the hospital board must be residents of Galveston. This board exercises exclusive control of the hospital, employing all persons whose services are

required in connection with the operation of the hospital, but with no authority to exceed in the expenditures incurred the sum appropriated for the purpose by the city officials.

This original lease agreement continued in effect until 1913, when Mrs. R. Waverley Smith and Mr. John Sealy made the generous offer to build an addition to the Sealy Hospital approximately the size of one wing of the hospital building which would provide a ward for white women, and to cost \$50,000, or so much more as might be found necessary, upon the condition that the Regents of the University would expend from their funds at least \$50,000 in the erection of a new nurses' home, then badly needed. This suggestion was agreed to; and in order that the management of the hospital property might continue upon the same basis as previously, it was agreed that the lease to the city of Galveston, then nearly expired, should be canceled and a new lease for a period of twenty-five years entered into. The lease was accordingly renewed in 1913 for twenty-five years under conditions similar to those of the original agreement, and the hospital management remains in the hospital board. The John Sealy Hospital receives and cares for many pay patients during the year, so that its income is considerable; this income is appropriated toward the payment of the expenses of operation and the city must provide for the difference between income and expenditure. This difference naturally varies and sometimes the city authorities and citizens of Galveston have felt that the sum called for was greater than the care of the charity patients of the city justified. This situation has led to the very generous assurance from Mr. John Sealy that if the city would pay a certain sum each year he would make up the difference. Briefly, it may be said that the city appropriation under the lease ranged from \$15,000 to \$50,000 a year, but in recent years uniformly has been made \$30,000, while the donations of Mr. John Sealy in supplementing the city appropriations and making up the deficit have ranged from \$15,000 to \$25,000 a year. As an illustration, in the year 1919, the cost of maintaining the John Sealy Hospital was \$175,000; the income of the hospital was \$128,000; the city's appropriation \$30,000 and the donation of Mr. John Sealy to make up the deficit was \$17,000.

The committee desires to express the conclusion that the provision for maintaining the John Sealy Hospital as a

teaching hospital for the Medical College is not a judicious one. It is subject to the varying attitude of changing municipal administrations, as illustrated in the appropriation at the beginning of the present year of only \$10,000, later increased, after the appointment of this committee, to the usual \$30,000; and is also dependent in part upon the generosity of a private citizen. If the State is to conduct a Medical College it should do so upon the sound basis of providing by necessary legislation for the maintenance of a teaching hospital without reliance upon conditions as subject to change as are those that now exist with reference to the management of the John Sealy Hospital in Galveston and under the current lease. All of which may be said with a full appreciation of the attitude of citizens of Galveston toward the Medical College and the hospital and of their active and solicitous interest in the welfare of these institutions.

The committee strongly recommends, that in equipping the Medical Branch of the University the teaching hospital should be a State hospital. Due to the munificence of the Sealy family, and the deep personal interest of Mr. John Sealy in looking after the John Sealy Hospital, the teaching hospital of the Medical College at Galveston has been conducted with as great a measure of success as could possibly be expected from such an arrangement; but this inquiry itself being suggested in part by the temporary lack of support for the teaching hospital is an evidence of what may result from time to time where other influences are permitted to enter into the control and operation, or are depended upon for support of the teaching hospital. Whether the Medical Branch is removed from Galveston or allowed to remain there, the teaching hospital should be owned and controlled by the State. Other State medical colleges following this policy have found it most satisfactory.

The committee made a careful inquiry into the question of the supply of clinical material available at Galveston, the decreasing amount and variety of which forms one of the principal reasons for this investigation. The official reports covering a period of several years are submitted herewith. In these it is shown that there has been a marked diminution in both the quantity and the variety of clinical material for the use of the Medical School in the instruction of its students. The standard of excellence of the work of a medical college is dependent upon the abundance of cases that may be available for the in-

struction of the students. Without adequate clinical material a medical college can not attain the rank of a first class institution, nor can it maintain such rank. The question as to whether this present defect can be overcome at Galveston is a very serious one, and while the committee hesitates to express a conclusion without further investigation, its members incline to the opinion that the difficulties hitherto experienced doubtless are, as claimed, due in considerable degree to conditions largely local and temporary in character which further experience may demonstrate capable of being remedied. This inquiry respecting clinical facilities, however, must extend not alone to the deficiencies experienced in the needs of the institution in its present status, but must comprehend provision for the necessary clinical requirements of a medical college of the first class as such institution must extend its facilities in the years to come. Whether or not these increased requirements for the future may be met in Galveston as readily, as inexpensively, or as advantageously as at a point more accessible to the great body of the citizenry of the State may not be readily determined, but the degree in which present defects may, in the experience of the immediate future, prove to have been due to local and temporary conditions, and a distinct improvement in the situation noted, will indicate a more reliable and just conclusion. In this connection, it is of interest to study the plans employed by other States in providing their teaching hospitals with an adequate supply of clinical cases for student instruction. The State of Iowa may be taken as typical, and a copy of the Iowa statute is submitted herewith. In brief, the plan is for the State hospital to receive, under definite conditions and restrictions, the charity cases of the different counties, an arrangement which it is claimed results in a reduction in the cost of the care of their charity patients to the counties, while affording an adequate supply of clinical material for teaching purposes to the Medical College.

While it may not be said that the Medical Branch has as yet suffered in the standard of its work or in prestige, it must be stated that on the basis of present conditions there is danger that it may suffer and seriously. The comparatively small student body of the past two years has helped the situation, but with the increased attendance this year, and which may be expected hereafter, the situation will call for a distinct increase in the regular available supply

of clinical material for teaching. If such material is not available in adequate quantity students will go elsewhere for the last two years of their medical course.

Confirmatory of the statements made in this report, it is a part of the record that the inadequacy of buildings and equipment, and the decrease in clinical facilities at Galveston have been observed by the inspectors for national organizations which really gauge the standards of medical education throughout the United States. This refers particularly to the American Medical Association, the Carnegie Endowment for the Advancement of Teaching, and the General Education Board, whose representations have been laid before the Board of Regents.

In maintaining a Medical Department of the University, it will be found that the cost will be only slightly augmented by provision for the teaching of pharmacy and dental surgery in connection therewith, and the committee would recommend provision for such extension of the work of the Medical Branch. The teaching of pharmacy in conjunction with medicine is of especial advantage from the fact that it is a popular criticism of many medical colleges that their graduates are lacking in a proper knowledge of pharmacology, a branch of instruction in which medical colleges having pharmaceutical departments are known to excel.

The possibility of injury to property by reason of the occasional storms that visit the Gulf coast was considered by the committee, and while it is probable that with the raising of the grade of the city about seventeen feet in the vicinity of the medical buildings and the extension of the sea wall, buildings of substantial construction are not likely to suffer damage as heretofore from storm conditions of equal force, the property of the Medical Branch sustained damage of approximately \$100,000 in the storms of 1910 and 1915.

The one reason which popular opinion accepts as affording justification for the maintenance of colleges teaching medicine, pharmacy and dentistry at the public expense is the necessity of making provision for the protection of the public health; and the committee expresses the belief that the State should provide equipment and facilities for the graduation of such increased number of students from these colleges as will reasonably meet the requirements of the State

in the protection of the health of its citizens, and which shall also be adequate to furnish the basis for research studies essential in the preservation of health and sanitation.

An estimate of the number of physicians that should be graduated in Texas annually to supply the needs of the people is placed by those most competent to judge of these requirements at the present time at a minimum of 100, and a similar number of pharmacists and dentists.

A physical plant to meet these requirements would embrace a laboratory building, a college building, a general hospital building of not less than 300 beds for patients that might be taught over, so constructed that it would provide isolation wards for contagious diseases, and convalescing wards for the accommodation of those patients who had served their usefulness as clinical material but not ready for discharge; a nurses' home, and a central heating plant for the whole, all located on a site affording ample room. The probable cost of such a plant would be \$1,500,000 if located and constructed elsewhere than in Galveston. To utilize the Galveston property now owned by the State, not including the John Sealy Hospital, and contemplating the purchase of the remainder of the two blocks facing the college and hospital property, would likely cost \$1,250,000.

In considering the physical plant at Galveston now used by the Medical Branch, it must be understood that in the public benefactions of the members of the Sealy family, munificent as they have been, the underlying purpose of these donations has been to provide a hospital for the care of the unfortunate people of Galveston who must depend upon charity in their sickness, and the use by the State of these properties as a teaching hospital for the Medical College of the University has been secondary to that primary intent. This is indicated by the reversion provision in the deeds from the city of Galveston to the State. The State is without any expression which would justify the belief that though assured of the continued retention of the Medical Branch in Galveston the John Sealy Hospital would ever become a State hospital. This being true, and the committee believing that the State should own the teaching hospital of the Medical Branch, this part of the physical plant in our judgment should be figured as a necessary expend-

iture regardless of the location of the Medical Branch of the University.

The committee feels that the results of its inquiries have amply justified the provision for its appointment. In the accompanying transcript of the hearings conducted, and the records and statements attached thereto as exhibits, practically all the ascertainable facts having direct bearing upon the establishment, organization, administration and needs of the Medical Branch of the University have been assembled, and all of which will have special value to the Legislature, and to the Board of Regents, as well as possessing interest to the public. A careful investigation of this record as submitted, it is believed, will enable the Legislature to reach a conclusion concerning the future location and equipment of the Medical Branch at such time as it may feel justified in entering upon the consideration of that question; or of affording guidance to the Board of Regents should the question be referred to them by the Legislature.

It may also be said that the inquiry has distinctly impressed the lessees of the John Sealy Hospital with the responsibilities assumed under the lease agreement, and has measurably quickened the purpose of the entire citizenry to employ every effort to correct delinquencies and to improve conditions as far as may be possible, with the result that the committee feels that the best results that it is possible to obtain from the plan under which the John Sealy Hospital is now conducted as the teaching hospital of the Medical Branch may be anticipated.

LEONARD TILLOTSON,
Chairman.

C. T. BASS.
W. H. BLEDSOE,
A. C. SCOTT,
T. S. REED, SR.,
W. H. FUQUA.
EVERETT JONES.

Governor's Office,
Austin, Texas, January 11, 1921.

To the Thirty-seventh Legislature in
Regular Session:

The financial condition in which the State is found as my term of office expires, makes it an inexpressible pleasure to conform to the duty assigned to the Chief Executive, under Section IX of Article IV of the Constitution, with respect to accounting for all public moneys received and paid out. In a former message I have briefly outlined the con-

dition of the Treasury in some respects as it is shown in the biennial report of the Treasurer. I have shown that there remained at the close of this fiscal year, to the credit of the general revenue account, \$8,840,758.79, the highest in the history of the State. The balance to this account on January 1st just past, was \$4,917,220.84, which is the largest balance left to the credit of that account. When the State Automatic Tax Board met to fix the ad valorem tax rate for the current year, they found an unexpended and an unappropriated balance of \$5,336,275. By taking this balance into consideration, when the ad valorem tax rate was determined, the Board found that the tax rate could be reduced from 35 cents to 22 cents. In addition to the balance above referred to the Board found an increase in the taxable values of the State in the sum of \$167,052,707 over that of last year, making a total valuation for this year of \$3,367,347,912. The total of taxes charged on the State tax rolls for 1920 is \$21,816,598, which is a decrease of \$3,102,688 from the amount shown on the rolls last year.

The excellent condition in which the Treasury is found is reflected in the above figures, and is made more noticeable when it is taken into consideration that the Thirty-sixth Legislature appropriated more than \$10,000,000 for the various educational requirements of the State. The bonded debt of the State is reflected in the table attached hereto and marked Exhibit "A," as furnished me by the State Treasurer.

The First Called Session of the Thirty-fifth Legislature appropriated the sum of \$3000 for the King's Highway Fund, which appropriation was made subject to the order of the Governor. As revealed in my message of January 14, 1919, to the Thirty-sixth Legislature, I received from my predecessor, to be administered under the terms of the law, an additional sum of \$1546.85, which was further supplemented by the Daughters of the American Revolution in the sum of \$113.15. The funds received other than the \$3000 appropriated by the Legislature were deposited in the Citizens Bank and Trust Company, Austin, Texas, which account has, in accordance with the act of the Legislature been expended. A statement of this fund is attached hereto, marked Exhibit "B." I refer you again to my message to the Thirty-sixth Legislature of January 14, 1919, with respect to the drouth relief fund, raised by voluntary subscription.

I outlined in that message the method followed in raising the fund, and gave a detailed description of the purpose for which it was to be used, as well as the course pursued in the distribution.

At a meeting of the Drought Relief Committee, which committee was appointed by me to supervise the distribution of the fund, held in my office on December 15, 1920, it was determined to donate the balance of this fund on hand, to the Soldiers' Tubercular Hospital at Kerrville, Texas. I am attaching hereto, marked Exhibit "C" and "D," respectively, a copy of the minutes of that meeting, together with a copy of the statement of the fund as of January 1, 1921.

I am transmitting herewith, marked Exhibit "E," a statement of all of the expenditures made by me as Governor, from the appropriations made available to the Executive Department, Mansion and Grounds, subject to my order. The vouchers covering these expenditures are on file in the office of the Comptroller, and are available to any one interested.

I invite the attention of the Legislature to the increased duties of the executive office during my term, which increase will approximate two hundred per cent. This increase in the business of the executive department is attributable to several reasons. You will recall that I assumed my duties at the beginning of the greatest of all wars, which necessarily added additional burdens to the office. A national guard organization was raised and the Drought Relief Act was administered through my office, all of which enormously increased the clerical work, as well as the work of the Executive Officer himself.

During the war, this office was constantly besieged with requests from loyal Americans, to aid and assist them in procuring commissions and enlistments in the service of their country. A very large majority of those in the service during the war left useful pursuits and attractive opportunities to do so; consequently, with the termination of hostilities, these same loyal Americans who requested the assistance of this department to get into the service, besieged and flooded me with requests to render assistance in procuring their release. So with the ending of the war, the increase in the volume of work with which the department was

confronted, was further increased for the above reason.

I am glad to inform you, however, that the work in the department is gradually decreasing, and that within the course of a few months, will probably reach a normal condition.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Exhibit "A."

Bonded Debt of the State of Texas on
November 1, 1920.

Refunding 3 per cent bonds issued by Act of the Thirty-sixth Legislature to refund frontier bonds due September 1, 1910, and outstanding bonds for deficiency in revenue, issued April 21, 1879, due July 1, 1909; new bonds dated September 1, 1910, due forty years, option to redeem after twenty years	\$1,148,700
For retiring past due bonds, Act May 2, 1893, due May 2, 1933, interest at 4 per cent	334,500
For retiring all 7 per cent frontier bonds of August 1, 1870, held by individuals, Act April 5, 1889, sold to special funds, due January 15, 1921	201,000
Refunding bonds issued September 1, 1915, Act Thirty-fourth Legislature, refund bonds issued September 1, 1910, 5 per cent interest...	209,000
Revenue deficiency bond, issued February 10, 1915, Act of 1889, due forty years, interest 5 per cent.....	22,000
For retiring past due bonds, Act May 2, 1893, due option of State, interest 5 per cent	152,000
Refunding bonds, issued 1904, Act April 30, 1903, dated January 1, 1904, due January 1, 1944, interest 3 per cent	288,000
Refunding bonds, issued 1906, Act April 17, 1905, dated July 1, 1906, due July 1, 1946, interest 3 per cent..	1,647,000
Total bonded debt outstanding Sept. 1, 1920.	\$4,002,200

Exhibit "B."

Statement furnished by Comptroller as of January 1, 1920, Y-925, Markings for King's Highway.

Appropriation	\$3,000
October, 1917, V. N. Zively.....	\$ 360
March, 1918, A. L. Gooch.....	1,000
March, 1918, A. L. Gooch.....	600
April, 1918, A. L. Gooch.....	560
April, 1918, A. L. Gooch.....	300
May, 1919, A. L. Gooch.....	180
	<hr/>
	\$3,000

Exhibit "B."

Statement Furnished by Citizens Bank & Trust Company as of January 3, 1920.

W. P. Hobby, Acting Governor, Trustee, King's Highway Fund, in account with Citizens Bank & Trust Company, Austin, Texas.

August 25, 1917, deposits....	\$1,546.85
June 17, 1918, deposits.....	113.15
	<hr/>
	\$1,660.00

November 3, 1920, canceled checks returned\$1,660.00

Exhibit "C."

Minutes of the Drouth Relief Committee Meeting.

Whereas, The committee called upon the subscribers of the Drouth Relief Fund suggesting that the money on hand be donated to the Soldiers' Tubercular Hospital at Kerrville, Texas, and ninety-nine per cent (99%) of the subscribers replying to the communications have expressed their assent that the suggested donation be made; therefore, be it

Resolved by the committee, That the fund now on hand and so much as may hereafter be repaid into the fund be so donated.

Motion was made and seconded that the Governor appoint a committee of three to consult with the committee having the building of the hospital in charge. The following compose the committee: Governor W. P. Hobby, chairman; Mr. A. C. Goeth, Mr. T. H. Franklin.

Motion was made and seconded that Mr. D. E. Waggoner of Dallas, be appointed to succeed Senator F. C. Weinert as Administrator and Treasurer of the Drouth Relief Fund.

Motion was made and seconded that resolution of thanks be sent to Senator F. C. Weinert for his efficient services.

The following resolution was adopted: "Be It Resolved, That the thanks of the committee be extended to Senator F. C. Weinert for his very careful, diligent and effective handling of the fund as Treasurer and Administrator of the Drouth Relief Fund."

Those attending the meeting were: A. C. Goeth, D. E. Waggoner, Thomas H. Franklin, J. E. Lucy, W. P. Hobby.

Those represented by proxies were: Tom Finty, Jr., P. L. Downs.

Above motions and resolutions were all adopted by unanimous vote.

Wednesday, December 15, 1920.

(Signed) A. C. GOETH,
D. E. WAGGONER,
THOMAS H. FRANKLIN,
J. E. LUCY,
W. P. HOBBY.

Exhibit "D."

Statement Showing Condition of Drouth Relief Fund, January 1, 1921.

Amount contributed.....	\$277,506.55
Amount allotted.....	273,106.13

Amount not loaned.....	\$ 4,400.42
Amount collected.....	38,667.11

Amount cash in banks.....	\$ 43,067.53
Amount notes on hand.....	234,439.02

Amount received.....	\$277,506.55
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Exhibit "E."

Expenditures of the Executive Department and Mansion and Grounds, From January 1, 1919, to December 31, 1919, Inclusive.

A & B Payment of rewards, telegraphs, telephones and other expenses..	\$ 6,864.92
A & B Books and stationery..	585.28
A & B Salary of Governor...	4,000.00
A & B Salary of Private Secretary	2,750.00
A & B Salary of Assistant Private Secretary...	1,800.00
A & B Salary of three stenographers	4,500.00
A & B Salary of porter.....	1,200.00
A & B Repairs of Governor's office	623.40
A & B Traveling expenses of Governor	694.28
A & B Freight and postage..	400.00
A & B Ice	36.00
A & B Contingent expenses...	37.03
A & B Pay Lieutenant Governor for acting as Governor	398.40

Mansion and Grounds.	
A & B Expenses Governor's Mansion	\$ 2,492.42
A & B Repairs, improvements and labor	1,160.00
A & B Fuel, lights, etc.....	1,444.87
	<hr/>
	\$28,986.60

Expenditures of the Executive Department and Mansion and Grounds,
From January 1, 1920, to December 31, 1920, Inclusive.

B & C Payment of rewards, telegraph, telephone, and other expenses..	\$16,106.56
B & C Books and stationery..	876.67
B & C Salary of Governor...	4,000.00
B & C Salary of Private Secretary	2,750.00
B & C Salary of Assistant Private Secretary...	1,800.00
B & C Salary of three stenographers	4,500.00
B & C Salary of porter.....	1,200.00
B & C Traveling expenses of Governor	263.91
B & C Ice	29.90
B & C Freight and postage...	800.00
B & C Contingent expenses...	86.45

Mansion and Grounds.	
B & C Expenses, Governor's Mansion	\$ 3,312.81
B & C Repairs, improvements, labor and employes..	1,484.96
B & C Fuel, lights and water.	1,845.75
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	\$39,057.01

Governor's Office,

Austin, Texas, January 11, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: I am transmitting herewith for your information a report adopted at a conference of a committee on education appointed by me. The recommendations of this committee are transmitted for the information of your honorable body for such consideration and action as in your wisdom, you may deem advisable.

Respectfully submitted,
W. P. HOBBY,
Governor.

January 7, 1921.

To His Excellency, Governor W. P. Hobby.

Dear Sir: Your Committee on Education desires to make the following report:

At the first meeting on March 19,

1920, the members first appointed held a meeting to consider educational conditions and policies, with the following members present: W. B. Bizzell, F. M. Bralley, F. W. Cook, L. J. Hart, T. H. Shelby, R. E. Vinson, Nellie White and A. W. Blanton; C. E. Evans being absent. After a general discussion of emergency conditions in education and of the advisability of recommending a constructive study of the educational needs of the State it was decided to request you to appoint a larger committee, representative of the different interests and different sections of Texas. Three subcommittees were appointed to report to this larger committee. These committees were as follows: First, Committee on Present Conditions, Annie Webb Blanton, chairman, C. E. Evans and F. W. Cook; second, Committee on the Emergency of the Educational System, T. H. Shelby, chairman, C. E. Evans and Nellie White; third, Committee on Constructive Policies, R. E. Vinson, chairman, F. M. Bralley and L. J. Hart.

On April 19, 1920, the larger committee appointed by you in response to the request of your first committee, met in the Governor's reception room, with the following members present: Annie Webb Blanton, Mamie Bastian, F. M. Bralley, W. B. Bizzell, J. C. Cochran, F. W. Cook, Lynch Davidson, C. E. Evans, L. J. Hart, J. A. Hill, L. H. Hubbard, T. N. Jones, D. E. Lyday, F. C. Proctor, E. R. Pedigo, T. H. Shelby, Chas. G. Thomas, Leonard Tillotson, R. E. Vinson and Nellie White. The following members were absent: W. H. Bledsoe, H. B. Brelsford, Richard Burges, R. M. Dudley and Chester Terrell. The Hon. Richard Burges was selected as chairman of the committee and Annie Webb Blanton as secretary. F. C. Proctor was chosen as vice chairman, and presided at this meeting. After hearing the reports of the three committees appointed at the preceding meeting, the committee took action, appointing two standing committees to continue the work for which the committee was created. These were as follows: Committee on Legislation, T. N. Jones, D. E. Lyday, J. C. Cochran, L. J. Hart, F. W. Cook, Lynch Davidson, Leonard Tillotson, Annie Webb Blanton; Committee on Educational Development, F. M. Bralley, R. E. Vinson, W. B. Bizzell, C. E. Evans, T. H. Shelby, Nellie White, H. B. Brelsford.

Reports of committees showed the schools of Texas including the higher

educational institutions, to be in a precarious condition. In the public schools the alarming teacher shortage was revealed to have seriously impaired the school system of the State, many schools having been forced to close for lack of teachers, and others having continued their sessions only through private subscriptions by public spirited citizens. It was reported that each of the higher educational institutions was working with depleted forces and that these schools could not secure an adequate corps of teachers without substantial increase of appropriations. It being the opinion of the committee that the legislation expected of the Special Session shortly to be held should be limited to remedying these emergency conditions, the following recommendations were decided upon to be presented to the Special Called Session of the Thirty-sixth Legislature:

1. Increase of appropriations for the higher educational institutions including the State Department of Education.
2. Increase of salaries of county superintendents, fixing a minimum salary, permitting county boards to fix a maximum salary, and to make allowances for office assistants and for adequate traveling expenses.
3. Direct appropriation from the general funds to be apportioned to the public schools to increase salaries of teachers and provide for a longer school term.
4. Repeal of the maximum salary law now applying to many rural and small town schools.
5. Revision of the laws in regard to the certification of teachers, providing for a choice of subjects and for a better reciprocity with other States and emphasizing professional training.

This committee further recommended that the Texas School for the Blind, the Texas School for the Deaf, and the Orphans Homes should be considered as educational institutions and should be termed as such by law. The legislative committee was instructed to use efforts to bring this about. It was also decided that if the situation in regard to the Medical Department at Galveston did not improve, the legislative committee should ask the Governor to appoint a committee to investigate the situation at Galveston.

On Friday, May 28, 1920, your committee again held a session in the Governor's reception room, with the following members present: Hon. Richard

Burges, chairman, Annie Webb Blanton, secretary, Mamie Bastian, W. B. Bizzell, F. M. Bralley, R. E. Vinson, Leonard Tillotson, L. H. Hubbard, J. C. Cochran and Chas. G. Thomas. The following members were absent: F. W. Cook, Lynch Davidson, C. E. Evans, L. J. Hart, J. A. Hill, D. E. Lyday, E. R. Pedigo, F. C. Proctor, T. H. Shelby, Nellie White, W. H. Bledsoe, H. B. Brelsford, R. M. Dudley and Chester Terrell. Reports were made by the legislative committee to the effect that bills had been prepared to carry out the legislation approved at the preceding meeting. The matter of submitting a bill for an educational survey of the State was discussed, the committee deciding to take no action on this matter at this time.

On Thursday, January 6, 1921, a fourth meeting of the Committee on Education was held in the Governor's reception room. In the interim P. W. Horn had been appointed to take the place left vacant through the decease of Chester Terrell. The following members were present: Hon. Richard Burges, chairman, Annie Webb Blanton, secretary, Mamie Bastian, W. B. Bizzell, F. M. Bralley, J. C. Cochran, F. W. Cook, C. E. Evans, L. J. Hart, J. A. Hill, P. W. Horn, L. H. Hubbard, T. N. Jones, Chas. G. Thomas, Leonard Tillotson, R. E. Vinson, Nellie White. The following members were absent: W. H. Bledsoe, H. B. Brelsford, Lynch Davidson, R. M. Dudley, D. E. Lyday, E. R. Pedigo, F. C. Proctor, T. H. Shelby. The Committee on Legislation reported the following as accomplished in regard to the legislative program endorsed to be carried out at the Special Session of the Legislature:

1. An appropriation of four million dollars from the general funds to increase the per capita apportionment in the public schools.
2. Increase of salaries in the State's higher educational institutions amounting to approximately 25 per cent. on an average.
3. Increases of salary for county superintendents varying from 33 1-3 per cent to 66 2-3 per cent.
4. Provision for office assistants for county superintendents and a 50 per cent increase for office and traveling expenses.
5. Amendment of the maximum salary law providing for increases to teachers holding each grade of certificate. These were as follows: Second grade certificate, from \$60 to \$100; first grade

certificate from \$75 to \$125; and permanent certificate, from \$85 to \$150.

6. The passage of a more progressive certificate law providing for choice of subjects, for reciprocity with other States and giving more emphasis to professional training.

The Committee on Future Policies reported that it had not formed any specific program to recommend to the general committee. After a thorough discussion of each part of the educational system of the State, it was agreed that the committee should make the following recommendations to your excellency, to Governor-elect Pat M. Neff and to the Thirty-seventh Legislature:

1. Immediate passage of Enabling Act, putting into effect the recently adopted amendment to Article 3, Section 7, of the State Constitution whereby school districts may be authorized to vote for their schools such support as they deem necessary.

2. Revision of the State system of taxation in such a way as to equalize taxable values in the different counties of the State.

3. The passage of such appropriations from the general funds of the State as may be necessary to provide for the public schools a State per capita apportionment of not less than \$14.50.

4. The establishment of an effective county unit system for Texas in which the county superintendents shall be appointed by the county board of trustees and in which sparsely settled counties shall be divided into groups, each group to be presided over by a county district superintendent, thus abolishing the office of ex-officio county superintendent.

5. A revision of the Text-book Law, making certain changes as to the Text-book Commission, providing for the distribution of books to the common school districts through county depositories, defining more definitely the duties of teachers and school officers in regard to the management of text-books, providing for the cancellation of contracts by the State Board of Education in case of persistent failure to fill contracts, providing for a penalty to be assessed by the State Board of Education for the selling of a book at a price greater than the retail price fixed in the contract, providing that no text-book in manuscript shall be considered by the Text-book Commission, adding additional texts now in use in the schools but not covered by contracts, and providing that contracts shall in

future be so arranged that the contracts on not more than one-sixth of the total number of different texts adopted shall expire in any one year or shall be changed in any one year.

6. A revision of the Compulsory Attendance Law providing for a gradual increase in the length of the compulsory term and in the grade and the age of exemption, prescribing that by September 1, 1922, the English language must be made the medium of instruction in all private and sectarian schools accepted in lieu of public school training, requiring the registration of private and sectarian schools, and providing that by September 1, 1924, private and sectarian schools whose work may be accepted in lieu of public school training must conform to public school standards.

7. Continuation of the special annual appropriations of two million dollars for rural schools and those of small towns.

8. Appropriation for vocational education under the terms of the Smith-Hughes Law and provision for acceptance of the terms of the recent Federal act providing for the rehabilitation of persons injured in industry.

9. Provision for a comprehensive and thorough survey of the schools of Texas.

10. A revision of the statutes relating to the powers of the State Board of Education, granting to this board the power to remove after a fair hearing any school official who has been illegally placed in his position or who refuses to obey the school laws or who wilfully and persistently neglects his duties or who is known to be wholly incompetent or to be guilty of misconduct or of immorality; granting also to this board the power to alter, change or fix boundaries of school districts in cases of appeal or in cases to which existing laws do not apply.

11. Provision for a State board in charge of the State Department of Education and of the public schools, who shall appoint the State Superintendent of Public Instruction and who shall determine and carry out the policies of public education for the public schools of the State; the placing of the State Superintendent, the State Assistant Superintendents, supervisors and State Board of Examiners on the same basis as to scholastic requirements and as to financial remuneration, as are the educators employed in the State's highest educational institutions.

12. Provision for child welfare work among school children of school age in

co-operation with the parent-teacher organizations of the State.

13. Provision for the holding of a constitutional convention in the spring of 1922.

14. Revision of the certificate laws, providing for the same powers of certification to all schools on a basis of the same standards and courses of work and for a distinction between certificates obtained by examination and those secured through college work, providing for a gradual raising of standards for teachers through a period of several years and for more adequate fees for county examinations.

15. Endorsement of the memorial of the Board of Regents of the State University in which is proposed a plan for removing the University of Texas to another site and for provision for adequate grounds, buildings and support for a university of the first class.

16. The committee endorsed the budgets presented to the Board of Control by the institutions of higher education and by the State Department of Education as just, fair and necessary for the maintenance and support of these institutions, and it was the sense of this committee that its members should do all within their power to secure the adoption of these budgets by the legislative committees and by the Thirty-seventh Legislature.

In closing this report your committee desires to express to you its appreciation of the opportunity for service to the educational interests of the State which has been conferred upon them by your appointments. We desire to express to you our deepest appreciation of the progress in education which has taken place during your administration and of your progressive and liberal policies towards the schools which have made this progress possible.

Respectfully yours,

Original signed by

RICHARD BURGESS,
ANNIE WEBB BLANTON,
LEONARD TILLOTSON,
ROBERT E. VINSON,

Committee.

Governor's Office,

Austin, Texas, January 11, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: May I urge the immediate enactment of a bill with the emergency, copy of which I have taken the liberty to attach hereto. The measure

is self-explanatory in the accompanying bill and is considered by the State Board of Education very urgent to meet the present need of funds for building schoolhouses in Texas.

More than a million dollars for bonds are offered the State Board of Education, and upon the sale of these bonds depends the building of schoolhouses in more than two hundred school districts in Texas.

The \$315,000 available for the purchase of these bonds is insufficient. The State is indebted to the school fund and this indebtedness may be met by paying out of the general revenue the indicated amount to retire certain coupons bearing 3 per cent interest.

The condition of the State Treasury will easily permit this exchange of funds. The enactment of the measure will bring the available school fund 5 per cent interest instead of 3 per cent interest from the securities held by the State Board of Education and at the same time will relieve the paralysis that momentarily exists in the building of schoolhouses in Texas.

Respectfully submitted,

W. P. HOBBY,

Governor.

EMPLOYES OF THE HOUSE.

The Speaker announced the appointment of the following employees of the House:

Stenographers—Miss Ora Taulbee, Miss Virginia Thorp, Mrs. H. K. Nagle, Miss Isabelle Sutherland, Miss Pearl Williams, Miss Ileene Vaughan, Miss Hazel Brown, Miss Annis R. Robbins, W. E. McGuire, Miss Blanche Buckley, Miss Ettie Russell, Miss Lila Sandlin, and Mrs. E. E. Green.

RELATING TO NOTARIES PUBLIC.

Mr. Wright offered the following resolution:

Resolved, That the Sergeant-at-Arms of the House of Representatives be instructed to purchase and have printed 2,000 postal cards for the use of members in replying to applications for appointment of notaries public, to be paid for out of the contingent expense fund provided for the House during this session of the Legislature.

Signed—Wright, Lindsey, Laney.

The resolution was read second time. Mr. Horton moved to table the resolution, and the motion to table was lost.

Question recurring on the resolution, it was adopted.

RECESS.

On motion of Mr. Stevenson, the House, at 11:20 o'clock a. m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by Speaker Thomas.

TEMPORARY COMMITTEE ON APPROPRIATIONS.

The Speaker announced the appointment of the following temporary Committee on Appropriations:

Messrs. Satterwhite, Beasley, Stephens, King, Teer, Bass, Wright, Morris of Medina, and Barrett of Bell.

SENATE NOTIFIED.

The committee appointed on yesterday to notify the Senate that the House is now organized and ready for the transaction of business, appeared at the bar of the House, and being duly announced, reported that they had on yesterday performed the duty assigned them.

GOVERNOR NOTIFIED.

The committee appointed on yesterday to notify the Governor that the House is organized and ready for the transaction of business, appeared at the bar of the House, and being duly announced, reported that they had, on yesterday, performed the duty assigned them.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Hall and Mr. John E. Davis of Dallas:

H. B. No. 1, A bill to be entitled "An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15, of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed sheriffs or other peace officers performing the same services in misdemeanor cases to be taxable against the defendant on conviction, and the allowance to sheriffs by the commissioners court of the several counties in this State for the safe-

keeping, support and maintenance of prisoners in jail, or under guard, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Smith:

H. B. No. 2, A bill to be entitled "An Act defining secured debts, constituting the same a separate class of property for purposes of taxation, levying a tax on such property, providing the method of the payment of said tax, and the duties of certain officers with respect to the registration and record of such property and the collection of said tax, providing penalties for a violation of this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Smith:

H. B. No. 3, A bill to be entitled "An Act providing for the collection of an inheritance tax on property subject to the jurisdiction of the laws of this State passing by will or otherwise of a decedent, and giving the amount of property exempt before the tax accrues, and providing for inventory and appraisal of such property subject to the tax and duties of administrator, guardian or trustee as to reports and allowable deductions; also duty of the Tax Commission, and county judge, and other officials; prescribing the rate of tax and when the tax is due and payable, and to whom, and providing for penalties and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Smith:

H. B. No. 4, A bill to be entitled "An Act creating a Tax Commission which Commission shall be known as the Tax Commission of the State of Texas; providing that the Commission shall be composed of three members, their appointment, term of office, qualifications, duties and powers; making an appropriation for said Commission and repealing Chapter 4, Title 126, Revised Civil Statutes of 1911, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Smith:

H. B. No. 5, A bill to be entitled "An Act defining property subject to ad valorem taxes and the mode of ren-

dering and valuing same for taxes, and providing for the assessment of all property subject to taxation, and the collection of the tax due by said property in both organized and unorganized counties; providing for the election of an assessor for each organized county, his duties and qualifications and compensation; providing for the election of a tax collector for each county and the manner of collecting the tax, making reports and remitting the money, and the qualifications and compensation of the collector; designating the property exempt from ad valorem tax and providing that all other shall be assessed and the method and manner of rendering same; providing for the rendition for taxation of railroads and certain other corporations to the Tax Commission, and the method of certifying the same to the several counties in which the property is located; giving the Tax Commission and county boards of equalization authority to equalize values and the method to be employed in such equalization; and providing for the collection of delinquent taxes; prescribing penalties and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. John E. Davis of Dallas and Mr. Miller of Dallas:

H. B. No. 6, A bill to be entitled "An Act to amend Article 4081 of the Revised Civil Statutes of the State of Texas, so as to provide for the appointment of a guardian of a person of unsound mind or an habitual drunkard, on a hearing before the court, without the necessity of a jury trial, which will be granted if requested, as set out in Title 64, Chapter 16, Revised Civil Statutes of the State of Texas, providing for 'Guardianship of Persons of Unsound Mind and Habitual Drunkards,' and validating all appointments heretofore made without a jury trial."

Referred to Judiciary Committee.

By Mr. Binkley:

H. B. No. 7, A bill to be entitled "An Act to repeal Articles 865a, 865b, 865c, 865d, 865e, 865f, 865g, 865h and 865i, of the Code of Criminal Procedure of the State of Texas."

Referred to Committee on Criminal Jurisprudence.

By Mr. John Davis of Dallas:

H. B. No. 8, A bill to be entitled "An Act to amend Article 1521 of the

Revised Civil Statutes of 1911 as amended by the Acts of the Thirty-third Legislature, approved March 28, 1913, and as amended by Acts of Thirty-fifth Legislature, approved March 15, 1917, defining the original and appellate jurisdiction of the Supreme Court of Texas."

Referred to Judiciary Committee.

By Mr. John Davis of Dallas:

H. B. No. 9, A bill to be entitled "An Act to amend Chapter 15, Acts of the Fourth Called Session of the Thirty-sixth Legislature of the State of Texas, page 7610, General Laws of the State of Texas, Fourth Called Session, providing that the channels of trade be kept open, and providing for declaration of areas by the Governor where the police powers of local authorities shall be suspended and the powers thus suspended shall be taken over by the State rangers, or other agencies, under direction of the Governor, when it shall appear to the Governor to be necessary under reports and findings of the Industrial Commission as now provided by law; and providing for the trial and indictment of offenders under the laws of Texas, and repealing all laws in conflict herewith; and providing for the trial and indictment of offenders under the laws of Texas, and repealing all laws in conflict herewith, and providing for an emergency."

Referred to Committee on State Affairs.

By Mr. John Davis of Dallas:

H. B. No. 10, A bill to be entitled "An Act making an appropriation of the sum of four thousand dollars to make reparation to Ben Perry, a negro, who was wrongfully convicted and imprisoned for a term of about eight years in the State penitentiary of Texas for a crime committed by another, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. John Davis of Dallas:

H. B. No. 11, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the general laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the general laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Section 1, Chapter 113, of the general laws of the Regular Session of the Thirty-sixth Legislature, by increasing the annual license fee on commercial vehicles, and

interurban commercial vehicles, and amending Section 16a added to Chapter 190 of the general laws of the Regular Session of the Thirty-fifth Legislature, by Section 2 of Chapter 113 of the Acts of the Regular Session of the Thirty-sixth Legislature, by increasing the license fee on commercial and interurban commercial vehicles based upon carrying capacity and per mile traveled, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. John Davis of Dallas:

H. B. No. 12, A bill to be entitled "An Act to amend Chapter 8, Title 71, of the Revised Civil Statutes, providing for the incorporation, organization, regulation and supervision of mutual life insurance companies in this State, and providing penalties for the violation of this act."

Referred to Committee on Insurance.

By Mr. John Davis of Dallas:

H. B. No. 13, A bill to be entitled "An Act to define the term 'general libel,' making it a criminal offense, prohibiting same, providing for the punishment thereof, and providing what shall and what shall not be a defense."

Referred to Committee on Criminal Jurisprudence.

By Mr. Stephens:

H. B. No. 14, A bill to be entitled "An Act providing for the nomination by preferential ballot of candidates for office in this State by any organized political party which cast one hundred and twenty-five thousand votes or more for Governor at the last general election; amending Articles 3084, 3095, 3114, 3122, 3125 and 3126 of Chapter 10, Title 49, of the Revised Civil Statutes of the State of Texas of 1911; Article 3086 of Chapter 10, Title 49, of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 90, General Laws of the Fourth Called Session of the Thirty-fifth Legislature; Article 3136 of Chapter 10, Title 49, of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 16, General Laws of the Regular Session of the Thirty-fifth Legislature; Article 3138 of Chapter 10, Title 49, of the Revised Civil Statutes of the State of Texas of 1911 as amended by Chapter 90 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature; Article 3139 of Chapter 10, Title 49, of the Revised Civil Statutes of

Texas of 1911, as amended by Chapter 90 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature; and Section 10 of Chapter 39 of the General Laws of the First Called Session of the Thirty-third Legislature, so as to make said articles and statutes comply with the purposes of this act."

Referred to Judiciary Committee.

By Mr. Melson and Mr. Veatch:

H. B. No. 15, A bill to be entitled "An Act abolishing the Board of Water Engineers of the State of Texas, and the offices of members of said board, and conferring the authority, powers, duties, functions, rights and liabilities of said board and members upon the State Reclamation Engineer of Texas; making available to said Reclamation Engineer all appropriations heretofore made by the Legislature for the Board of Water Engineers, or authorized to be expended by said board or the members thereof in the performance and exercise of the duties, powers, authority and functions transferred by this act; authorizing said Reclamation Engineer to dispense with any work or employees not needed, or to prevent duplication of work and effort, and authorizing him to fix salaries of employees within the maximum appropriations made by law, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Melson:

H. B. No. 16, A bill to be entitled "An Act to create the office of county auditor in all counties in the State of Texas which contain a population of 20,000 inhabitants or more; and prescribing the duties of such auditor, and further repealing all laws creating and providing for the election of county treasurers in all of the counties coming within the provisions of this act."

Referred to Committee on Counties.

By Mr. Melson:

H. B. No. 17, A bill to be entitled "An Act to repeal Articles 865A, 865B, 865C, 865D, 865E, 865F, 865G and 865H of the Criminal Procedure of the State of Texas, known as the suspended sentence law."

Referred to Committee on Criminal Jurisprudence.

By Mr. Veatch and Mr. Melson:

H. B. No. 18, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and the Weights

and Measures Department and conferring all the authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor, Commissioner of Agriculture and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Commissioner of Insurance and Banking, relative to warehouses upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature; conferring power and authority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapter 116 of the General Laws, Regular Session of the Thirty-sixth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. John Davis of Dallas:

H. B. No. 19, A bill to be entitled "An Act to amend Article 1521 of the Revised Civil Statutes of 1911 as amended by the Acts of the Thirty-third Legislature approved March 28, 1913, and as amended by Acts of the Thirty-fifth Legislature approved March 15, 1917; defining the original and appellate jurisdiction of the Supreme Court of Texas, and repealing all laws in conflict therewith."

Referred to Judiciary Committee.

By Mr. Marshall:

H. B. No. 20, A bill to be entitled "An Act to amend Articles 586 and 587, Chapter 6, Title 11, of the Penal Code of the State of Texas, so as to provide a penalty for betting on all public elections, and defining public elections, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Marshall:

H. B. No. 21, A bill to be entitled "An Act requiring the purchaser of any second-hand automobile car, truck or motor vehicle now or hereafter required by law to be licensed or registered through or by the Highway Commission of Texas, to obtain a certificate of title and to provide a penalty and an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Marshall:

H. B. No. 22, A bill to be entitled "An Act to amend Article 696, Chapter 1, Title 12, of the Revised Criminal Statutes of the State of Texas, 1911, as amended by the Thirty-third Legislature."

Referred to Committee on Criminal Jurisprudence.

By Mr. Curtis:

H. B. No. 23, A bill to be entitled "An Act defining and declaring certain public utilities and virtual monopolies and subjecting same to the power and jurisdiction of the Railroad Commission of Texas to regulate and enact rules, regulations, orders, decisions for the government and conduct of the business of the same, and safe, sufficient and adequate service; leaving the municipalities certain powers of regulation, and the option to refer such regulation to the said Commission; authorizing municipalities to appoint a commissioner with certain powers to hear matters affecting utilities; requiring charges of said utilities subject to this act for their services or commodities to be just, reasonable, non-discriminatory and adequate, and providing for the reimbursement of charges collected in excess of permitted or reasonable charges to persons entitled thereto and for escheat of unclaimed amounts to the State, requiring the filing of reports and schedules, conferring on said Commission the power to prescribe methods of accounts, to value the properties, to require the maintenance of a proper reserve for depreciation and replacement, to determine the rates, charges, returns and practices of said utilities upon application or its own initiative, to require improvements and extensions, to require joint or connected service and to apportion the returns and expenses thereof; prohibiting discrimination in rates, charges, or compensations received by said utilities with certain exceptions, requiring certificates of convenience or necessity or previous

approval to be obtained from said Commission in certain cases for the construction, enlargement, purchase, lease, sale, operation or agencies of said utilities and competing utilities, requiring bonds of said utilities in certain cases for the protection of their patrons and the public, providing for public hearings and rehearings and the notice and conduct thereof in all matters before the Commission arising under this act, and conferring powers on the Commission with relation thereto, authorizing the patrons of a utility to file complaints with a municipality or the Commission; providing for the judicial review of acts, orders, decisions of the said Commission and the conduct thereof and of appeals; providing for the enforcement of the Commissioner's orders, rules, regulations, and the provisions of this act by mandamus, injunction, mandatory injunction, and receivership and penalties for the violation of same, and conferring jurisdiction on the district courts, and providing for appeals in such cases; requiring utilities subject to this act to maintain offices and keep records within certain counties or municipalities; requiring said utilities and their officers, agents and employees to obey the orders of the Commission or Commissioners or municipal authorities, and providing penalties for violation of same and for the enforcement thereof; providing for the arbitration of disputes by the Commission; requiring reports of annual income and levying a tax on the gross incomes of said utilities; creating the 'Public Utilities Fund,' and appropriating fifty thousand dollars (\$50,000) till such fund becomes available and sufficient, making appropriations for the salaries of the Commissioners and authorizing the Commission to appoint examiners and to employ a solicitor and other assistants and directing the State Treasurer to make disbursements for the payment of salaries and expenses approved by the Commission; fixing fees to be collected by the Commission and fees of sheriffs and constables and witnesses and authorizing process to secure attendance of witnesses and requiring testimony and evidence to be produced; retaining certain powers and emoluments of the Railroad Commissioners under other acts; providing that a majority of the Commissioners constitute a quorum; repealing acts inconsistent herewith, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Quinn:

H. B. No. 24, A bill to be entitled "An Act to provide for the organization or admission and regulation of incorporated insurance companies other than life."

Referred to Committee on Insurance.

By Mr. Henderson of Marion:

H. B. No. 25, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99 of the General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10, of the General Laws of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35, General Laws of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Bowie and Marion counties, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Mr. Horton:

H. B. No. 26, A bill to be entitled "An Act to regulate and supervise the sale and purchase in the State of Texas of stocks, stock certificates, bonds, debentures or other securities, and the transaction of business in this State of persons, joint stock companies, common law trusts, co-partnerships, companies or other persons or organizations offering for sale in this State such securities, excepting companies incorporated under the laws of the State of Texas, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Rosser:

H. B. No. 27, A bill to be entitled "An Act to authorize the erection and maintenance of a modern apartment and rooming house on the old capitol grounds in the city of Austin, for the use, benefit and convenience of members of the State Senate and House of Representatives, and when not in use for such purpose, to be used in such

manner as to be of most use to the State of Texas."

Referred to Committee on State Affairs.

By Mr. Jones:

H. B. No. 28, A bill to be entitled "An Act for the protection of stock-raisers and farmers; providing for the destruction of depredating wild animals; making an appropriation therefor, and providing the method how it shall be expended; to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Mr. Satterwhite:

H. B. No. 29, A bill to be entitled "An Act making an appropriation of nine hundred eighty-eight thousand (\$988,000) dollars to pay off and discharge one hundred seventy-eight (178) refunding coupon bonds of the State of Texas, dated January 1, 1904, due forty years after date, each in the sum of one thousand (\$1,000) dollars, bearing interest at three (3%) per cent, payable January 1 and July 1 of each year, aggregating one hundred seventy-eight thousand (\$178,000) dollars; also eighty-one (81) refunding coupon bonds each in the sum of ten thousand (\$10,000) dollars, dated September 1, 1910, due forty years after date, bearing three (3%) per cent interest, interest payable January 1 and July 1, said bonds aggregating eight hundred ten thousand (\$810,000) dollars; all of which said bonds are now held by the permanent school fund of the State, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. West:

H. B. No. 30, A bill to be entitled "An Act to encourage and assist in the building of homes and of removing encumbrances therefrom; to broaden the corporate powers of certain corporations; to permit the purchase of notes, bills or other evidences of debt at a greater or less sum than the face or par value thereof; to authorize the making of loans upon the amortization basis, repayable in installments; to authorize the lending of money on real and personal security, and to authorize the purchase and sale of notes, bonds and securities, limiting such powers to corporations having a capital stock of one hundred thousand (\$100,000) dollars or more, and giving such privileges

to corporations having their domicile in cities of one hundred thousand or more population, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Pollard:

H. B. No. 31, A bill to be entitled "An Act making it a misdemeanor for any person to ask, solicit, demand, charge or receive, directly or indirectly, from any other person, corporate or otherwise, any money, reward, favor, benefit, or other thing of value, or the promise of either as a consideration or inducement for procuring or effecting, or with the view, purpose or intent that such person may, can, or will, or may, can or will seek or undertake to, procure or effect any preference in the receipt, carriage, transportation, movement, placing, storing, handling, caring for or delivery of any freight, commodity, or article, or any railroad car or cars, by any common carrier, in State, or by any agent or employe of such common carrier, and prescribing a penalty therefor, defining the word 'preference' as used in this act, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. John Davis of Dallas, Mr. Melson and Mr. Miller of Dallas:

H. J. R. No. 1, Proposing an amendment to Article 5 of the Constitution of the State of Texas, relative to the judiciary of the State, naming the time for the qualified voters to vote on said proposed amendment, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

By Mr. John Davis of Dallas:

H. J. R. No. 2, Relating to State Board of Equalization of Taxes; proposing an amendment to Section 18, Article 8, of the Constitution of the State of Texas, so that hereafter the Legislature shall have power to create a State Board of Equalization of Taxes, naming the time for qualified voters to vote on same and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

By Mr. John Davis of Dallas:

H. J. R. No. 3, Providing for voting by absentees; proposing to amend Section 2, Article 6, of the Constitution of the State of Texas, so that it shall hereafter, in substance, provide that every person, male or female, subject to no constitutional disqualifications, who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall reside in this State one year next preceding an election and the last six months within the district or county in which he or she offers to vote, shall be deemed a qualified voter; providing electors shall vote in the election precinct of their residence; declaring that the electors living in any unorganized county may vote at any election precinct in the county to which such county is attached for judicial purposes; providing that any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before he or she shall offer to vote at any election in this State and hold a receipt showing that poll tax has been paid before the first day of February next preceding such election, declaring that if said voter shall have lost or misplaced such tax receipt, he or she shall be entitled to vote upon making an affidavit that such tax receipt has been lost which affidavit must be in writing and left with the judge of the election; any qualified elector who expects to be absent from the county of his or her residence and at any other place in the State, on the day of election may vote at some time not more than ten days nor less than three days prior to the date of such election under any existing law, or laws hereafter passed by the Legislature; and declaring that all laws now on the statutes relating to qualified voters and governing and regulating elections shall apply to male and female voters alike; and all laws relating to elections shall remain in full force and effect until changed or modified by the Legislature; and declaring that this amendment to the Constitution shall be self-enacting; fixing the date on which the election shall take place and appropriating the sum of five thousand dollars or so much thereof as may be necessary to defray expenses of proclamation, publication and election.

Referred to Committee on Constitutional Amendments.

By Mr. Baldwin:

H. J. R. No. 4, Proposing to amend the Constitution of the State of Texas, by amending Article 6, Section 2 thereof, by striking out and repealing said section and substituting in lieu thereof a new Section 2; prescribing qualifications of electors; providing that all electors shall vote in the election precinct of their residence with such exceptions as the Legislature may prescribe; fixing the place of voting of persons residing in any unorganized county; providing for the payment of poll taxes and fixing the time of payment; prescribing the procedure in cases when the voter has lost or misplaced such poll tax receipt; making this provision self-enacting; fixing the time for the election for the adoption or rejection of such proposed constitutional amendment; prescribing the form of ballot in such election; directing the Governor to issue the necessary proclamation; and making an appropriation to carry out this resolution.

Referred to Committee on Constitutional Amendments.

By Mr. Baldwin:

H. J. R. No. 5, Proposing to amend the Constitution of the State of Texas by amending Article 6 thereof by striking out and repealing said article and substituting in lieu thereof a new Article 6; prescribing qualifications of electors; providing that all electors shall vote in the election precinct of their residence with such exception as the Legislature may prescribe; fixing the place of voting of persons residing in any unorganized county; prescribing residence qualifications of qualified electors to vote for elective officers in any city or corporate town, and in elections to determine the expenditure of money or the assumption of indebtedness; requiring the vote in all elections to be by ballot; directing the Legislature to enact laws providing for the numbering of tickets, to detect and punish fraud and preserve the purity of the ballot box; authorizing the Legislature to provide by law a registration system; prohibiting the enacting of any law requiring the payment of a poll tax as a prerequisite for voting; providing that all voters shall, except in certain cases, be privileged from arrest in attending, going to and returning from elections; fixing the time for the election for the adoption or rejection of such proposed constitutional amendment; prescribing the form of ballot in such election; directing the Governor to issue the necessary proclamation.

tion, and making an appropriation to carry out this resolution.

Referred to Committee on Constitutional Amendments.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 12, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 1, To provide for the counting of the votes for Governor and Lieutenant Governor, and for their inauguration.

Respectfully,
W. V. HOWERTON,
Secretary of the Senate.

TO COUNT VOTE FOR GOVERNOR AND LIEUTENANT GOVERNOR.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 1, Providing for the counting of the votes for Governor and Lieutenant Governor, and for their inauguration.

Be it resolved by the Senate, the House of Representatives concurring, That a joint committee of eight, to consist of three Senators to be appointed by the President of the Senate, and five members of the House of Representatives to be appointed by the Speaker of the House, shall be appointed a joint committee to canvass the vote for Governor and Lieutenant Governor of the State of Texas, and to prepare for their inauguration.

The resolution was read second time.

Mr. John Davis of Dallas offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 1 by striking out the word "eight" and insert word "twelve," and strike out word "three" and insert word "five," and striking out word "five" and insert word "seven."

The amendment was adopted.

The resolution as amended was then adopted.

PROVIDING NEWSPAPERS FOR MEMBERS.

Mr. Rosser offered the following resolution:

Be it resolved by the House of Representatives, That each member be allowed three daily newspapers during the Regular Session of the Thirty-seventh

Legislature, to be paid for out of the contingent expense fund of the House.
Signed—Rosser, Wallace.

The resolution was read second time and was adopted.

PROVIDING FOR MAILING CLERK.

Mr. Pope offered the following resolution:

Resolved, That the Speaker of the House appoint a mailing clerk for the House, and that each member of the House have the privilege of giving to the mailing clerk a list of three names, with proper addresses, to whom said mailing clerk shall mail daily a copy of the House Journal, and that said mailing clerk receive the sum of five (\$5) dollars per day for said service.

The resolution was read second time.

Mr. Owen moved to table the resolution, and the motion to table was lost.

Question recurring on the resolution, it was adopted.

RESOLUTION RE-REFERRED.

On motion of Mr. John Davis of Dallas, House Joint Resolution No. 1 was withdrawn from the Committee on Constitutional Amendments and referred to the Judiciary Committee.

ADJOURNMENT.

On motion of Mr. Curtis, the House at 3:45 o'clock p. m. adjourned until 10 o'clock a. m. tomorrow.

THIRD DAY.

(Thursday, January 13, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Mr. Speaker.	Binkley.
Adams.	Bonham.
Aiken.	Black, O. B.,
Baker.	of Bexar.
Baldwin.	Black, W. A.,
Barker.	of Bexar.
Barrett of Bell.	Brady.
Barrett of Fannin.	Branch.
Bass.	Brown.
Beasley	Bryant.
of Hopkins.	Burkett.
Beasley.	Burmeister.
of McCulloch.	Burns.
Beavens.	Carpenter.